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FIRST ATTEMPTS AT CO-ORDINATING THE ADMINISTRATION OF UNEMPLOYMENT COMPENSATION AND RELIEF

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THE RELIEF APPROACH TO UNEMPLOYMENT COMPENSATION

NO MATTER whether, to some, unemployment compensation may mean an incentive to stabilize employment or to compel savings or merely a dismissal wage, to relief administrators it is regarded primarily as an actual or potential source of income to relief applicants and clients. To them it differs in no essential way from any other source of income a needy person may have. In determining eligibility for relief and the budgetary deficiencies of cases, unemployment compensation usually is classified like any other source of income, such as from a part-time job, assistance from relatives, or garden produce. That the program may possess more important long-run possibilities is of comparatively little concern to relief officials continually struggling with inadequate appropriations.

Evidence that relief authorities usually consider needy workers awaiting or receiving unemployment compensation upon the same basis as other needy persons, who may or may not possess sources of income, was disclosed by a survey of the general relief policies in twenty-two of the twenty-nine states paying benefits in December,

1938. Twelve of these twenty-two states, as indicated in Table 1, usually granted relief to destitute workers receiving or awaiting unemployment compensation, while in six other states the relief policy varied among the local units of government, often depending upon the sufficiency of relief funds. In another state, Idaho, relief could be given to persons waiting for benefits but, because of a shortage of

TABLE 1
POLICIES OF RELIEF AGENCIES TOWARD PERSONS AWAITING OR
RECEIVING UNEMPLOYMENT COMPENSATION BENEFITS
IN TWENTY-TWO STATES, DECEMBER, 1938

| Relief Usually Granted | Relief Usually Not Granted | No Uniformity among Counties |
|---------------------------|-------------------------------|---------------------------------|
| California | Alabama | Connecticut |
| Idaho* | Arizona†, § | Indiana |
| Iowa | Idaho*, § | Maryland§ |
| Massachusetts | Louisiana§ | North Carolina§ |
| Michigan | | Tennessee |
| Minnesota | | Wisconsin |
| New York | | |
| Oregon | | |
| Pennsylvania | | |
| South Carolina† | | |
| Texas | | |
| Utah | | |
| West Virginia | | |

* Relief granted during waiting period, but not during benefit-receiving period.

† Relief not usually granted to employable cases.

‡ No uniform policy set by state, although it has power to do so.

§ Specifically stated that policy depends upon scarcity of funds available for relief.

relief funds, not to workers actually receiving benefits. In only three of the twenty-two states was general relief usually not granted to workers receiving benefits; two of these states were in the South and one in the Southwest—areas where relief funds have never been very adequate. Arizona and Louisiana specifically reported that because of limited funds relief was not given to unemployed workers eligible for unemployment compensation. Although no specific statement on this point was made by the third state, Alabama, it appears likely that shortage of funds also accounted for its relief policies. Alabama indicated that in “emergency” cases relief was granted to workers

awaiting their unemployment compensation benefits and that surplus commodities were usually provided to families requiring supplementation of their unemployment compensation benefits.

NO PROVISION FOR INTEGRATION OF STATE LAWS

Thus, those responsible for implementing public relief policy for the most part could probably have anticipated that public assistance would have to be given to persons awaiting or actually in receipt of unemployment insurance benefits. However, they made no attempt to incorporate into state unemployment insurance laws provisions for facilitating the necessary administrative co-operation between the unemployment compensation authorities and the public relief agencies.

The problem was not anticipated at all by those who planned the insurance structure. The various state unemployment compensation laws, as well as Titles III and IX of the Federal Social Security Act, assumed that relief would follow rather than precede or accompany the payment of unemployment compensation benefits. The sparse data available at this time indicate that, while in the main this belief is justified, there may nevertheless be a substantial number of workers in need of assistance during their waiting periods or concurrently with the receipt of unemployment compensation benefits. Accordingly, it has been necessary for the general relief agencies to devise some method of obtaining information on the unemployment compensation status of relief applicants and clients.

Since this problem was not anticipated by those who guided the formulation of state unemployment compensation laws, no previous thought had been given to it by most relief or unemployment compensation authorities. The lack of statutory machinery for effecting the requisite co-ordination between the two programs necessarily has made the task of working out feasible systems of co-operation more formidable. Had European experience been better understood and its lessons applied in this country, the difficulty most states encountered in developing procedures for co-operation might have been avoided.

In fact, some state unemployment compensation laws were so framed that they actually hampered the development of integration

with the general relief program. In New York, for example, the Department of Labor first construed the state unemployment compensation act as forbidding it to release any information on the status of insured workers. Only after a long delay and some controversy did the Department of Social Welfare succeed in obtaining a routine transmittal of certain data on the unemployment compensation status of workers. The Indiana law specifically provides that no information on the unemployment compensation status of any worker may be released without the express consent of the worker involved. As a result, township trustees need first to obtain a signed statement permitting the release of the desired information—a costly and wasteful process.

PROCEDURES DEVELOPED IN STATES

The December, 1938, survey indicates that twenty-two states have attempted to develop methods of transmitting necessary information from the unemployment compensation department to the local relief agencies. Some of the systems devised are exceedingly crude, others evidence a comparatively high degree of cooperation; none of them can be adjudged wholly satisfactory, although many are considered "workable." Table 2 outlines the methods used in the twenty-two states.

For general relief agencies to conserve their funds and to spread properly relief appropriations they should possess at least the following information on the unemployment compensation status of relief applicants and clients:

1. Whether they are eligible for unemployment compensation.
2. The dates on which benefit checks are or will be received.
3. The amount of the benefit checks.
4. The number of benefit checks that will be received.

An examination of Table 2 reveals that in four of the twenty-two states no information was transmitted by the unemployment compensation departments to the general relief agencies. In one of these four states, Arizona, an unsatisfactory system had just been abandoned. Under it, lists of persons granted unemployment compensation benefits had been sent by the Unemployment Compensation Division to the Works Progress Administration and from there to the

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TABLE 2

ADMINISTRATIVE ARRANGEMENTS FOR TRANSMITTING INFORMATION TO RELIEF AGENCIES ON THE STATUS OF UNEMPLOYMENT COMPENSATION BENEFICIARIES IN TWENTY-TWO STATES, DURING DECEMBER, 1938

| STATE | PROCEDURE | A. ADVANTAGES B. DISADVANTAGES | SPECIFICALLY NOTED |
|---|---|---|-----------------------|
| No Official Arrangements with General Relief Agencies | | | |
| Alabama... | Satisfactory clearance procedures not yet arranged | | |
| Arizona.... | Following procedure discontinued in December: Unemployment Compensation Division sent lists by counties of persons granted benefits to state W.P.A. Lists with certified workers crossed off, then forwarded by W.P.A. to local relief agencies | | |
| North Carolina.... | Local relief agencies depend upon clients eligible for unemployment compensation to show them their notices of initial determination | B. Dependence on clients results in: | |
| | | 1. Clients forget to bring notice to relief office | |
| | | 2. Clients fail to understand notice | |
| | | 3. Clients ignorant of instructions | |
| Tennessee. | No arrangements | | |
| Employable Relief Applicants Required To File Claim with Employment Service | | | |
| Iowa..... | Applicants have employment service sign form to show that claim has been filed. Each claimant receives identification card from employment service, which indicates current status of claim to local relief agencies | A. Reliance upon local employment service offices rather than upon state administrative office speeds up procedure B. Detailed information not available to relief agencies Requires co-operation of clients, who often fail to present identification cards, requiring suspension of relief or further contact with employment service Requires additional clerical and interviewing work Local employment service offices may not be co-operative | |
| Texas..... | Applicants must show relief agencies they have filed claim for unemployment compensation | B. Dependence upon clients | |

TABLE 2—Continued

| STATE | PROCEDURE | A. ADVANTAGES B. DISADVANTAGES } SPECIFICALLY NOTED |
|--|---|--|
| Information Supplied Relief Agencies by Local Employment Service Offices in Response to Specific Requests | | |
| Indiana.... | Law prohibits Unemployment Compensation Division from releasing information on individual benefit rights without express permission of worker. Township relief trustees request relief clients to sign statement authorizing local employment service office to release information. Beneficiaries receive identification cards, showing checks received, which are also scrutinized by local relief agencies | B. No routine release of unemployment compensation data to the relief agencies |
| Louisiana.. | Information on specific clients requested by telephone or letter. Standard form not used | A. Flexibility; each parish works out plan best suited to local condition B. Delay in obtaining information from employment service |
| South Carolina.... | Information on specific clients requested by letter. Standard form not used | B. Hampered by lack of interagency forms |
| Information Supplied Relief Agencies by State Unemployment Compensation Office in Response to Specific Requests | | |
| Connecticut..... | Standard form not used for requests | B. Unemployment Compensation Division has burden of checking hundreds of names upon request |
| Maryland.. | Standard form used for requests | |
| Massachusetts.... | Standard form used for requests | |
| Utah..... | Standard form used for requests. Employment service identification card of claimants also checked | B. Delay in procuring needed information |

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TABLE 2—Continued

| STATE | PROCEDURE | A. ADVANTAGES B. DISADVANTAGES } SPECIFICALLY NOTED |
|---|--|--|
| Carbon Copies of Checks or Check Stubs Supplied Relief Agencies | | |
| California.. | State Relief Administration receives copies of all unemployment compensation checks and of the notice of award. Both cleared with active file of relief cases. District relief offices notified whenever notice of award pertains to relief case and advised to anticipate possible deductions in relief checks. State relief administrator deducts from relief checks amounts on unemployment compensation checks | |
| Michigan.. | State Emergency Relief Administration has set up special unit in Unemployment Compensation Commission, which copies check stubs, applications for benefits, initial determination slips, and denials of claims, and sends them to the local relief agencies | B. Time-lag of approximately ten days before local relief agencies receive forms Heavy administrative expense of maintaining unit in State Unemployment Compensation office and of handling forms in local relief agencies |
| Pennsylvania..... | State Department of Public Assistance receives check stubs on day check is written and sends them to local relief agencies | A. Provide definite check on all benefits paid B. Local relief agencies receive stubs too late to avoid duplication between unemployment compensation and relief Clerical expense due to necessary handling of large number of stubs pertaining to nonrelief persons |
| Wisconsin. | State Public Welfare Department receives carbon copies of checks on day of mailing and sends them to local relief agencies | A. Checks contain complete information on benefit status of recipients Receipt of carbon copy of check shows worker has just received his check |

TABLE 2—*Continued*

| STATE | PROCEDURE | A. ADVANTAGES B. DISADVANTAGES } SPECIFICALLY NOTED |
|-----------------------|---|--|
| | Standard Unemployment Compensation Forms Other than Checks Supplied Relief Agencies | |
| Idaho | State Department of Public Assistance receives copies of initial determination slips and sends them to local relief agencies | |
| Minnesota . | State Relief Agency receives abstract of pay rolls and sends them to relief agencies of Ramsey and Hennepin counties. Other counties get no information | B. Abstract does not show date of first payment or total amount of benefits payable. Abstract five or six weeks old when received |
| New York . | Department of Social Welfare receives copies of notices of benefit rights and of check notices and sends them to local relief agencies | A. All forms cleared before receipt of benefits; hence, use of benefits can be planned with clients in advance and they can be assisted in prosecuting their claims. Forms give valuable information on prior employment and earnings B. Tremendous bulk of material to be sorted, checked, filed, etc. No form is positive proof that benefits will be or have been received |
| Oregon . . . | State Relief Committee receives copies of check registers daily and sends them to local relief agencies | B. Large volume of names handled. Registers are set up on basis of employment service districts, not by counties |
| West Virginia | State Department of Public Assistance receives notices of computation and determination of benefits and sends them to local relief agencies | |

general relief agencies. North Carolina, another state in this group, depended upon clients eligible for unemployment compensation to bring their initial determination slips to the relief department but, owing to the forgetfulness, ignorance, or misunderstanding of clients, this method was found unsatisfactory.

Only two states, Iowa and Texas, were apparently in a position to know which of their general relief applicants or clients were eligible for unemployment compensation benefits. Their local relief agencies required all applicants to produce evidence indicating whether

they had filed a claim for unemployment compensation benefits. In Iowa, moreover, each claimant received an identification card from the employment service, upon which was indicated the current status of his claim.

However, in neither of these states were local relief agencies supplied with any other information on the unemployment compensation status of relief applicants or clients. No standard unemployment compensation forms were sent to relief agencies, giving dates of benefit payments, the amount of these benefits, or their possible maximum duration. The data obtained by the relief agencies were obviously too meager to be of much value.

Both states deplored the necessity of relying upon relief clients as a source of unemployment compensation information. Iowa specifically reported that dependence upon the unemployment compensation identification cards of workers was unsatisfactory. Clients often forgot to carry their cards, and the relief agency had either to suspend the relief grant or telephone the employment service office for the necessary information. Moreover, the system required additional clerical and interviewing work, and its ultimate success depended largely upon the co-operation of the local employment office. Such co-operation was at times secured with difficulty. In addition, the information thus gleaned was insufficient; the detailed data required for proper planning of budgetary deficiencies could not be obtained. The only advantage cited for this procedure, as noted by Iowa, was the greater relative speed with which information could be obtained from the local employment service office rather than from the state administrative agency.

It is important to inquire why, of the eighteen states having some method of exchange of information, only two had adopted this simple procedure, especially since it had been employed with eminent success in England from 1920 to 1934, according to a recent study by Dr. Eveline M. Burns and Harry Malisoff.¹ The English Boards of Guardians of the Poor required relief clients to bring them a form filled in by an officer of the employment exchange, containing essential unemployment insurance information.

¹ "Administrative Integration of Unemployment Insurance and Relief in Great Britain," *Social Service Review*, XII (September, 1938), 374-96.

There are two fundamental reasons why the English practice has not been adopted by most American states. One arises out of the complex structure of the state unemployment compensation acts; the other stems from the inadequacies of our state employment services.

The administration of the state unemployment compensation laws is highly centralized. Such centralization is made necessary by complicated provisions concerning the determination of benefits, merit-rating, reporting and recording requirements, etc. The result is that local employment offices generally have no information originally available to them on the unemployment compensation status of covered workers. Employers or relief authorities, who may desire such information, must request it of the state unemployment compensation department. Not until the provisions of the state laws are greatly simplified and their administration decentralized will local employment offices be reliable sources of information on the unemployment compensation status of individual workers.

Even if the employment offices did possess the required information, they are not now equipped to handle the extra work which adoption of the British procedure would necessitate. If relief authorities required every seemingly employable applicant to obtain a statement from the local employment service office proving that he had either filed a claim for unemployment compensation or was ineligible for benefits, the volume of work thereby created would leave the employment service with little time for its other duties. It is this consideration which finally induced the Michigan Unemployment Compensation Commission to agree to furnish the State Emergency Relief Administration with certain standard unemployment compensation forms giving the status of claimants. At first the Unemployment Compensation Commission did not see the necessity of providing such information to the relief authorities. However, when the State Emergency Relief Administration prepared to require all relief applicants to show a slip from the employment service, indicating their unemployment compensation status, before relief would be granted, the Commission changed its attitude. It may be concluded that not until their staffs are greatly augmented will the state employment services be able to handle the additional work which the British procedure would place upon them.

SPECIFIC PROCEDURES TO SECURE DATA ON INDIVIDUAL CLIENTS

In sixteen of the twenty-two states more formal arrangements for the interchange of unemployment compensation data had been made. In seven of these, the local relief agencies forwarded specific requests about individual applicants to the unemployment compensation office. Four of these seven—Indiana, Maryland, Massachusetts, and Utah—used a standard form upon which the unemployment compensation department entered the required data. In Connecticut, Louisiana, and South Carolina the relief agencies obtained the desired information by telephone or letter.

In Indiana, Louisiana, and South Carolina the relief agencies sent or telephoned their requests to the local offices of the state employment service, but in the other four states they could obtain the desired information only from the state office of the unemployment compensation department.

The chief disadvantage of this rather crude procedure, as noted specifically by Indiana and South Carolina, was that the relief authorities were handicapped by the absence of a routine release of information from the unemployment compensation department. A more automatic and standardized method of obtaining the data appeared preferable to them. Second, the long time-lag between the date the information was requested and the date it was received, noted especially in Louisiana and Utah, seriously reduced its value. Unless the information can be obtained quickly, it may be of little use; relief clients may have spent their compensation long before the relief agency is informed that benefits have been paid. Indiana and Utah could guard against this possibility in part by maintaining a close watch over the identification cards furnished unemployment compensation claimants in their jurisdictions.

Another disadvantage inherent in this procedure, as cited by Connecticut, was the burden it imposed upon the unemployment compensation agencies. They are not equipped to furnish data wholesale on the unemployment compensation status of unemployed workers. The same defects noticed as affecting the feasibility of the British plan, employed in Iowa and Texas, would appear to apply as strongly to the method used in these seven states.

Louisiana was the sole state in this group to cite a specific advan-

tage for this method. Due to the mobility of the Louisiana labor market, the routine interchange of standard unemployment compensation forms was not feasible. Under the loose procedure employed, each parish, it was believed, could develop the plan best suited to its needs. But it is difficult to visualize how, with the limited facilities available to them, the individual parish relief offices can be in a position to experiment with various methods of obtaining the necessary information on the unemployment compensation status of their relief clients.

In the nine remaining states included in the December, 1938, survey, formal arrangements existed for the daily transmission of standard unemployment compensation forms from the unemployment compensation department to the local relief agencies. Under the usual procedure, these forms were sent to the state relief agency, which sorted them by counties and then distributed them to the local relief offices.

USE OF CHECK COPIES AND STUBS

Undoubtedly, carbon copies or the stubs of the actual checks mailed to unemployment compensation recipients were the most useful forms thus distributed. One or the other was used in four states: California, Michigan, Pennsylvania, and Wisconsin. The procedure for handling these forms was simplest in Wisconsin and Pennsylvania, where they followed the normal course of sorting and distribution by counties. Prior to December the Pennsylvania Department of Public Assistance had forwarded to the counties only the check stubs of the first and last checks received by each beneficiary, but decided in that month to send them every stub in order that the local relief agencies might have definite proof of the arrival of each check.

In California and Michigan the procedures employed were considerably more complex. The State Relief Administration of California received copies not only of all unemployment compensation checks but also of all notices of award. Both forms were cleared with the active file of relief cases maintained in the state office. Whenever a notice of award pertaining to an active relief case was received, the district relief office handling it was advised to anticipate a probable

deduction in the relief checks later sent to the client. If and when unemployment compensation benefits were paid to the client, receipt of the carbon copies of the unemployment compensation checks informed the State Relief Administration of the fact, and it deducted the amount of the compensation thus received by its clients from their next relief checks.

In Michigan the State Emergency Relief Administration had to establish a special unit of its own workers in the offices of the Unemployment Compensation Commission in order to obtain unemployment compensation information on individual clients. This special unit makes copies of check stubs, applications for benefits, initial determination slips, and denials of claims, sorts them by counties, and sends them to the various county relief offices.

The outstanding value to the relief agencies of either check stubs or carbon copies of the checks themselves is that they prove definitely that the client has received his current check. Since these forms usually reach the local relief agencies within a day or two after the benefit check is mailed, case workers may immediately adjust relief budgets. Only in Michigan, where the procedure of copying the unemployment compensation forms was especially time consuming, is the time-lag serious; an average of ten days often elapses before the information reaches the county relief offices. Pennsylvania also reported that the check stubs were often received too late to prevent some duplication between unemployment compensation and relief. In Wisconsin, on the other hand, the carbon copies of checks are often sent to the counties on the same day the originals are mailed to the beneficiaries.

These check stubs and carbon copies not only prove that benefits have been paid but may also furnish other valuable information. For example, the Wisconsin check, besides giving the worker's name, address, and benefit rate, also furnishes

1. The order of the check and type of benefit; for example, eighth check for partial unemployment
2. The number of the last credit week charged, indicating which four-week period of compensable employment is charged off by the check
3. The number of credit weeks remaining, indicating the number of weeks of employment against which the worker may draw benefits on a 1 to 4 ratio

4. The number of the benefit week, indicating which calendar week of unemployment was compensated
5. The name of the firm upon whose reserve fund the check was drawn
6. The worker's social security account number

While some of these data may not be of immediate value for administrative purposes, they can be immensely valuable for research into the interrelationships between unemployment compensation and relief.

The chief disadvantage of this procedure is its heavy expense. Only a relatively small portion of the thousands of checks handled pertain to relief clients. In addition to the cost of sorting the forms on the state level and forwarding them to the local relief offices, there is the cost of comparing them with the active relief files to learn of the specific clients affected. Michigan also has the extra expense of maintaining a separate unit of employees in the offices of the Unemployment Compensation Commission in order to obtain the required data in the first place. That these states have continued to use this procedure despite the great expense involved would seem to indicate that the relief funds saved outweigh the cost of obtaining the information.

The use of check copies or check stubs alone does not tell the relief agencies which relief clients are eligible for unemployment compensation or when they will begin to receive their benefits. No checks will be mailed to those eligible clients who, for one reason or another, do not claim their benefits. Only when the first check copy or stub is received does the relief agency know that the client is eligible for compensation.

By the use of notices of award in California and initial determination slips in Michigan, the relief agencies in these states were able to anticipate the compensation paid to workers who had filed claims and had been certified as eligible for benefits. But in Pennsylvania or Wisconsin, the other two states in this group, no such forms were transmitted to local relief agencies as a supplement to check copies or stubs.

OTHER UNEMPLOYMENT COMPENSATION FORMS USED

Relief agencies in the five remaining states included in the survey received standard unemployment compensation forms other than

the admittedly more useful check copies or stubs. Two of these states, Minnesota and Oregon, used abstracts or registers of the checks written by the unemployment compensation department. The State Relief Agency of Minnesota received abstracts of unemployment compensation pay rolls. These were forwarded only to the two most urban counties in the state. None of the other counties, therefore, received any information from the state unemployment compensation department. However, the value of these abstracts, even to these two counties, was questionable, since they were usually received five or six weeks after the checks had been mailed. In addition, the abstracts did not give the benefit rates of the individual recipients or show the date of first payment.

In Oregon, the State Relief Committee received the unemployment compensation check registers daily and forwarded them immediately to the local relief agencies. Thus no serious delay occurred. But the registers were, nevertheless, difficult to use, because they were set up on an employment service district rather than on a county basis, and because, like check copies, only a small proportion of the names referred to relief clients.

Of the remaining three states, Idaho used copies of initial determination slips; New York, copies of notices of benefit rights and of check notices; and West Virginia, copies of notices of computation and determination. Essentially, these forms appear to be very similar. They enable the local relief agencies to know beforehand which relief clients have filed unemployment compensation claims and are likely to receive benefits.

The same disadvantages characteristic of check copies and stubs apply to the use of these other forms. The State Department of Social Welfare of New York especially cited the tremendous bulk of material which poured into the relief offices and which had to be sorted, checked with the relief records, and finally filed. Yet only a small proportion of the forms pertained to relief cases. The New York situation was even worse prior to December, when copies of applications for benefits were also transmitted from the unemployment compensation department via the State Department of Social Welfare to the local relief agencies, increasing the volume of forms handled.

Above all, however, the chief fault of these forms was that none,

except check copies or stubs, gave positive proof that benefits had been paid. They indicated only that claims had been filed and the claimant found eligible for unemployment compensation. There are many reasons why checks may be delayed or even discontinued altogether after these preliminary procedures have been fulfilled. Even if checks are mailed to beneficiaries as scheduled, there is no way whereby the relief agencies can be informed of the exact date of mailing.

However, the use of such preliminary forms did serve one major purpose. In New York State the clearance of all forms before any benefits were paid by the unemployment compensation department enabled the case-workers to plan with their clients for the use of the anticipated funds. Wherever payments were slow in forthcoming, the relief clients could be assisted in prosecuting their claims.

The New York forms, it was declared, also gave the relief agencies valuable information on the prior employment and earnings of relief clients.

SUMMARY

This survey did not attempt to ascertain the specific information included on the forms transmitted to the relief agencies. It was only concerned with the type of form used, if any, and the method of its transmittal. The various methods employed among these twenty-two states, however, revealed the limitations of the data which could be furnished thereby. It is evident from this analysis that the value of any method used to interchange data depends to a large degree upon the type of information actually included upon the forms as well as upon its expeditious transmission.

It is also evident that relief agencies believe they cannot depend solely upon their clients for information on their unemployment compensation status. This is not because relief clients wish to defraud or malingering. The fact is that workers usually do not know their exact unemployment compensation status until they receive their initial determination slip. Our state unemployment compensation laws are so complex that even under the simplest of them it is difficult, until he has actually received notice of his benefit rights, for any worker to be certain (a) that he has worked in a covered occupation for a covered employer, (b) that the period of his employment and amount

of earnings were sufficient to entitle him to compensation, or (c) that the cause of his unemployment does not render him ineligible for benefits. Moreover, he cannot be sure when he will receive his checks and rarely does he know how to compute his benefits.

Hence, until our state unemployment compensation laws are greatly simplified, the individual worker will remain an exceedingly poor source of information as to his unemployment compensation benefit status. For the same reasons case workers are similarly handicapped in seeking to ascertain the unemployment compensation status of their clients without assistance from the state unemployment compensation department.

This survey suggests that the states are employing a trial-and-error procedure in an effort to develop proper methods for the interchange of information between the state unemployment compensation agencies and the public welfare authorities. The search is for a procedure which will transmit essential information expeditiously and at a low cost. Such a procedure has not yet been discovered. The methods now employed are costly, they tend to load the relief authorities with many useless forms and records, and the delay in transmitting the information often makes it of little value. Experience, however, is producing a better understanding of the problem. The insurance authorities are beginning to understand the relationship between relief and the insurance scheme. More effective procedures will have to await a simplification of the unemployment compensation laws.

UNIVERSITY OF MICHIGAN

THE BRITISH CAMPS MOVEMENT A MANY-SIDED PROJECT

SIR RONALD DAVISON

IN ENGLAND today the danger of war absorbs our minds and the vast needs of defense absorb our money; the times are not propitious for further large-scale expansion of our public social services. There is, for instance, little hope for the more expensive kind of reform, such as the 50 per cent increase in the rate of old age pensions at sixty-five, though this item ranks high on the agenda of popular demand. Nevertheless, the crisis may also be an opportunity; in some ways it stimulates us toward social action which will have at least as much value for peace as for war. Several of these dual-purpose measures are in view. I believe that a more resolute attack upon the long-term unemployment of young men is pending, and there is evidence that the cause of national health and physical fitness will be advanced by our need to be prepared, and not least by a spell of military training at the age of twenty. A notable illustration of this tendency to try to get some good out of evil is the British government's scheme, known here as "Camps for Peace and War," and it is about this project and its implications that the editor of the *Social Service Review* has asked me to write.

Fifty permanent rural camps are to be built at once by the British government, and this number will very likely be increased. Three convincing arguments lie behind the action: first, the need for urban evacuation in time of war; second, the laggard provision in Britain of rural camps for elementary-school children who live in our grim industrial cities; third, the vast potential demand for cheaper holiday facilities on the part of the masses of wage-earners who are now enfranchised for a week's holiday-with-pay away from their home towns.

Admittedly it is the war danger that has put the spur into the government and persuaded them to launch out on the provision of national camps. Normally this would be left either to local govern-

ment or to private enterprise, but local authorities are too slow for the present emergency and commercial holiday camps are nearly always in the wrong places, e.g., on the exposed coast near large towns. But, today, we are faced with the pressing problems of air-raid precautions. How are several millions of children, mothers, and old people to be evacuated from our big cities to their appointed war refuges? Voluntary or compulsory billeting in rural households must obviously be the main resource, though it will hardly be popular. As a supplement to the government's vast billeting plan, a chain of national camps will be an immensely valuable and comforting resource. The first instalment of fifty school camps can at least serve as district depots and distributing centers, also as a kind of safety valve.

Two camps corporations have been set up, one for England and one for Scotland, with capital advanced by the treasury. They will choose the sites (a delicate matter involving safety in war, holiday amenities, easy access, water supply, etc.), buy the land under compulsory powers, and build the camps. Half the capital will be a free grant, but half must be repaid out of the charges made to peacetime users. The camps will be on hire for short or long periods, and the chief lessees will be the big urban education authorities—who will thus have at their disposal a cheap alternative to building their own rural school camps. Here, at last, is hope for some of those many thousands of London school children, who last summer did not get away (and never have got away) for a real change from the streets. Actually, all the fifty camps, used over a twenty-week period for fortnightly relays, will accommodate only some 200,000 children, who will go away with their teachers. Perhaps a fifth of these may come from London. Some day we shall aim higher and furnish to every city child a spell of education in a camp school, for it is quite certain that some kinds of instruction and some of the highest values in life can never be effectively taught in places like Battersea or Bethnal Green. Not the least of these is health.

No new principle is involved. Already a few such camps, both for holidays and for teaching, are in use for relays of urban children. A few local education authorities have already been pioneers in this matter, but progress is very slow. Twenty valuable experiments

have recently been made for both children and mothers by the English and Scottish commissioners for our four special areas (i.e., depressed areas). In these cases the commissioners called in the help of voluntary social workers under the lead of the National Council of Social Service. The proposal now is that, for reasons of urgency and in order to insure proper planning in the national interest, the responsibility for equipping the country with a more adequate complement of school camps should be centralized.

And now I come to that other peacetime function of the camps which is only dimly foreshadowed in the new legislation; but which is, nonetheless, officially accepted. What about the unsatisfied holiday needs of adult workers of both sexes? There has recently been a startling increase in the demand for cheap holiday accommodation, such as a rural camp can provide, on the part of the wage-earners of this country. In the past year or so about four million wage-earners were newly enfranchised for a real holiday by the holidays-with-pay movement, and every year is adding about a million more to their number. Counting dependents, there will this year be at least nine million people who never until quite recently had a fair chance of more than a day's outing from the towns. What gain, in the physical sense, are the holidays to be to them if they stay in their city streets? Yet it is safe to say that for most of them there is no practical alternative.

The old worker's holiday resorts like Blackpool, Margate, and the like will never hold them, not even if all holidays, including school holidays, are spread in sequence like the Wakes Weeks in Lancashire. Anyhow, these popular resorts are beyond the means of the small wage-earners among the new holiday-makers. It may not be so bad for the single men and girls, but how are the married couples, with or without children, to manage, when their incomes are on the lower side of the average British wage of fifteen dollars a week? They must find money for fares, board, and lodging, and still pay the rent of their regular homes. Savings schemes for holidays are making progress, but they will never fill the gap for the family man. For him and his wife the cheapest back-street lodgings or the cheapest "non-profit" camp, with fares and home rent added, work out at a figure not less than thirty dollars a week. Far cheaper provision is

required if a health-giving holiday, lasting over days, is to be brought within the reach of the low-wage worker: something of the order of fifteen dollars a week in all, for a man and his wife, and half-rates for children. Can this goal be reached by any means other than a subsidized service of holiday homes or camps, supplementing the existing provision?

In Britain a beginning has been made, but it is small, patchy, and confused. Under the Physical Fitness Act of 1937 the principle of a public service to build and equip holiday camps is already established. Half a dozen local authorities, of which the borough of Lambeth is an example, have decided in principle to do something about it. On the voluntary side the Workers' Travel Association have built good and seemly holiday camps at the seaside, and there are other similar nonprofit ventures on a small scale. Everyone knows of the recent outcrop of commercial pleasure camps (all rather expensive) on the skirts of our already overblown popular seaside resorts. Whether the latter are to the present purpose or not is a matter of opinion. These things are a sign and a portent, but they are small beer compared with the vast potential demand for war refugees and for holidays from home.

School camps and cheap holiday homes are related ideas, and the government has left the door open to those who wish to take married workers to the new national camps in the holiday periods between school terms. We hope, too, that three or four of the camps may, from the first, be specially constructed and set aside for adult use all the year round. This will mean construction on the cubicle or "chalet" plan, rather than with dormitories.

As for the future, nothing less than one thousand national camps will really meet the case, but, alas! this is not America and we have no such heroes as President Roosevelt in our high places! There may, however, be an extension of the government's national camps scheme for peace and war (i.e., direct provision by the two official corporations). Approved nonprofit associations could then hire the camps for six months or a year and organize their clientele. Employers, trade-unions and holiday associations would co-operate in their various ways. Alternatively, the corporations might be empowered to give grants-in-aid to approved holiday-providing bodies which would

build, equip, and run their own camps, subject always to government control over choice of sites and preservation of amenities.

The new facilities thus created would spread out our holiday migration in terms of space; we must also spread it out in time. The existing congestion, particularly in the south of England, around our August bank holiday, must be broken up, however reluctant workers and employers may be to abandon this strange manifestation of the herd instinct. Indeed, it is not too much to say that only by spreading the period can the problem of cheap holidays for the masses be solved. Whether in camps or otherwise, the average charges can be kept down to a reasonable figure only if the accommodation is taken advantage of from, say, May to September. And granted this change of social habit, the great army of seaside landladies will have nothing to fear; they will benefit as much as the new camps. It is for this that the massed boarding-house keepers should demonstrate. At present they are crying out against the movement to bring holidays within the reach of a class of citizen for whom they cannot cater themselves.

Finally, there is another and quite different kind of blessing which the creation of national camps will confer. On every camp site there will be an opportunity for the re-employment of some of those one hundred thousand young men in our cities, who, for good reasons or bad, have grown accustomed to unemployment and to dependence upon unconditional relief (unemployment assistance). The new government measure makes specific provision for this and the Unemployment Assistance Board is to enter into arrangements with the corporations for the reservation of part of the work on the camps for long-unemployed men. Let us hope that this is the dawn of a more resolute official policy toward a dangerous feature of British unemployment. Other kinds of work besides camps should be harnessed to the same purpose.

I should like to emphasize the novel feature in this experiment. It is not work relief like the W.P.A. or the C.C.C. in America, nor is the labor to be recruited in the open labor market as under the P.W.A. It is to be a privileged offer of work to a selected class of long-unemployed men who have settled down to life on the dole and are in dire need of rehabilitation—both physical and moral. Those

who accept will, with rare exceptions, have to leave home. They will be given a week or two to accustom themselves to bodily labor, and they will be paid the full trade-union rate of wages for the job. I hope and believe that most of them will make good and secure a new start in life. For those who refuse the chance without a good excuse and insist on their right to cash maintenance while remaining idle at home, some deterrent condition will have to be reintroduced. For the last four years there have been no such conditions in our national Unemployment Assistance service.

To American readers there will be nothing very sensational in this national camps movement in Britain, but to us it seems to possess many solid advantages. At present it is a by-product of air defense, but its value as a peacetime social measure has been indorsed by parliament and, from that, great results may flow. We live in hopes that war dangers will pass and that the precedent now created is the beginning of a new nation-wide service that will bring health and happiness to millions of our underprivileged fellow-citizens.

LONDON, ENGLAND

CORRECTIONAL EDUCATION IN GERMANY¹

WALTER FRIEDLANDER

ONE of the most uncertain, and often unsatisfactory, services in the whole field of child welfare is that of correctional education, at once the most difficult and least successful of all community attempts in behalf of the welfare of young persons. Occupying a place somewhere between the boarding-school and the prison and inheriting some of the undesirable characteristics of both, the correctional school is likely to oscillate in its policy between the two poles of restraint and punishment, on the one hand, and understanding and training, on the other. The development of a policy and the carrying-through of a program are made doubly difficult in many instances by virtue of the limitations placed upon the schools by their founders, or by the unsuitable laws enacted for their operation, or by situations that make the securing of adequately trained, continuing personnel in the school very difficult. Still further, the limited educability of many of the young persons committed makes for confusion and uncertainty of program inside the schools and increases the difficulties in the general planning of the work by boards of directors of private institutions and members of departments in the public service.

BEFORE 1900

The earliest recorded order in Germany providing for special care of neglected children was issued in 1478 in Württemberg. It provided that the children of beggars, over eight years of age, should be taken by the public authorities and put out to service either in

¹ [A chapter from a new "Social Service Monograph" on *Child Welfare in Germany*, by Dr. Friedlander and the late Earl D. Myers (1898-1933), to be published by the University of Chicago Press. The study was begun when Mr. Myers was on leave of absence from the Chicago Social Service faculty for study in Germany. Later Mr. Myers continued his work on the study when he was a member of the Tulane School of Social Work faculty. Dr. Friedlander, who was at one time executive director of the Berlin Department of Public and Child Welfare, has been working during the past year and a half to complete the Myers manuscript and include recent material.]

the city or on the land. In 1500, in Augsburg, a law was passed providing that the children of beggars, in order that they might learn to earn their bread, should be taken away from their parents and given out to handwork or other service, thereby rescuing them from dependence upon and association with beggars.

Before the beginning of the nineteenth century definite programs of special training for neglected and delinquent children were purely local in character and of limited duration.

The first concession to youth in the nineteenth-century criminal codes of the Continent was in the Code pénal of France in 1810, in which a minimum age was fixed below which a child might not be punished. Bavaria, in the code of 1813, was the first of the German states to make similar provision. Other German states followed the lead of Bavaria, so that the principle of sections 55-57 of the National Criminal Code of 1871, fixing the age of twelve as that below which a child might not be punished as a criminal, was already generally accepted. The principle of limited punishment for young persons between twelve and eighteen was introduced but not clearly defined by the 1871 National Criminal Code of Germany. Section 55 contained a stipulation that minors between twelve and eighteen years of age might be punished less severely than adults.

In Prussia the law of March 13, 1878, concerning "compulsory reformatory education" (the so-called "Zwangserziehungsgesetz") applied this civil process of correctional education only to children between six and twelve years of age who had committed punishable acts. A vigorous attempt was made in the legislative assembly to extend the age limits and eligibility for reformatory education to sixteen years of age and to other types of need than that created by criminal acts. Economy, the familiar determiner of governmental policy, was urged by the dominant group in the government, and the limited measure went into effect. It remained the legal basis for correctional education in Prussia until 1900, when the *Fürsorgeerziehungsgesetz* was enacted. The older term had come to connote punishment and coercion. Hence, the new term *Fürsorge*. This word *Fürsorge* is difficult to translate. It is, however, the term applied to all forms of community care and social-work activity directed specifically toward social distress and the treatment of

pathological conditions. With the new law, also, the children committed came to be called pupils (*Zöglinge*), just as pupils in regular schools are designated.

In addition to the provisions of the National Criminal Code concerning a possible relaxation of the full rigor of the criminal law in the cases of juveniles, two important enactments in Prussia gave impetus to the movement for the substitution of correctional education for prison treatment for young offenders. The first of these was a cabinet order of King Friedrich Wilhelm IV of Prussia on December 2, 1846, in which he stipulated, in part, that "every high court in whose district special institutions for neglected and delinquent children are found, shall bring individual young criminals under care in these institutions. If after this, the youth does not succeed or is not improved, the full penalty shall be given or inflicted unless he receives pardon from the highest sources."² The second was the provision made by paragraph 42 of the Prussian Penal Code of April 14, 1851, in which it was specified that offenders under sixteen years of age were not to be subjected to the full punitive measures stipulated by the criminal code, with the further provision that when special measures were employed they should consist of care in a suitable family or commitment to a correctional school or a rescue home (*Rettungsanstalt*).

Although correctional education for young persons between twelve and eighteen years of age was legally established in only five states in Germany until the Prussian law of 1900, the nineteenth century witnessed a marked development in correctional education on a voluntary basis. The humanitarianism of the latter part of the eighteenth century made itself felt all over Europe in terms of greater consideration for the unfortunate. The miserable conditions of the prisons, in particular as they affected young persons, commanded the center of the stage. During the period when John Howard was carrying out his epoch-making investigations of prisons, jails, and hospitals in England and on the Continent, Germany had her apostle of reform in the person of Pestalozzi.

The early part of the century marked the founding of a great

² Krohne, *Erziehungsanstalten für die verlassene, gefährdete und verwahrloste Jugend in Preussen* (Berlin: E. Mittler, 1901), Introd., p. xxxiii.

number of special institutions for the care of neglected and delinquent children. Almost at once after the signing of the peace at the end of the Napoleonic Wars, Johannes Falk, the friend of Goethe and Herder, gathered together a group of deserted and neglected waifs in Weimar and founded an institution which he named *Luthershof*. Directly resulting from the work of Falk in Weimar, the much larger institution, *Martinstift*, was founded in Erfurt. In 1819 another institution, the *Wadzeck school*, was founded in Berlin, and in 1825 the widely known training home in Urban.

These early institutions were almost all begun independently and operated without reference to one another. They represent beginnings, but can scarcely be considered as part of a movement. It waited for the organizing genius and inspiring personality of one Johann Heinrich Wichern to create a "movement" for correctional education in Germany. His first important work was the founding of the institution which bears the name "*Rauhes Haus*" in the little town of Horn near Hamburg. The institution was opened on September 12, 1833. It was constructed as a children's village, with separate cottages, some of which were erected by the founder and the children without the employment of any carpenters or builders. The children received were principally from Hamburg.

Being a devoted churchman, possessing the spirit of a crusader, and being endowed with unusual gifts of oratory and personal magnetism, Wichern soon rose to a position of considerable esteem among the Protestant group. He made his influence felt in no small degree through the periodicals, pamphlets, and books published by the printing department of *Rauhes Haus*, opened in 1842.

Wichern might well have limited his efforts to the securing of more intelligent training and higher standards of care for correctional-school children in Germany. He appears, however, to have been a person not easily limited in his interests to one phase of the larger problem of human welfare. He conceived his training school in wider terms than that of special preparation for one type of activity. In his first printed annual report in the year 1842 he designated the training school as a seminar for the "*Innere Mission*" of the Protestants of Germany, describing this *Innere Mission* of the church as "the work of giving assistance to persons in physical and

spiritual need." Thus Wichern coined a significant term and gave new direction and significance to the charitable activities of the Protestant churches of the nation. The Innere Mission is now one of the few still remaining national private agencies engaged in social work in Germany.

FROM 1900 TO 1924

In the years from 1900 to the outbreak of the war Germany was significantly affected by the movement for reform and reorganization in the community's service to children which swept western Europe and the United States during that period. While England was busy enacting the Children's Act of 1908, and the child welfare workers in the United States were preparing for the White House Conference of 1909 and the subsequent founding of the United States Children's Bureau, German leaders were organizing their first juvenile courts, establishing a national child welfare agency in Berlin, and organizing a national conference on correctional education.

This last-named organization was begun in 1912 and has, since its founding, been one of the three important national agencies concerned with the problem of delinquents and their treatment, the other two national organizations being the Archiv deutscher Berufsvormünder and the Vereinigung für Jugendgerichte und Jugendgerichtshilfen.

The object of the national conference on correctional education, as set out in section 2 of its charter, was

to bring together officials, agencies, institutions, and professional workers engaged in the work of correctional education as well as friends of the work and other officials and personalities interested in the leadership and prosecution of this work without reference to religious or political affiliation and without prejudice to the activities of existing organizations, in order to establish personal contacts among them and to further the interests of correctional education in every way possible. It will, besides this, concern itself with the interrelations between correctional education and the entire field of child welfare.

The annual conferences and the numerous publications of the organization had a great deal of influence in directing public opinion toward support of a policy of national standards and national provision for child care. During the Weimar period the organization lost a good deal of ground because it adhered to a somewhat con-

servative policy and because the dominant group gave limited and, on a few occasions, intolerant consideration to the points of view and policies of some of the more liberal elements among the membership.

Thus up to April 1, 1924, when the National Child Welfare Law became effective, establishing as it did definite nation-wide regulations for the application, conduct, and termination of correctional education, three important developmental phases are discernible. The first was the phase of sporadic local beginnings which were followed, after a long period of general decline in interest in social reform, by the establishment of a considerable number of training schools in the beginning of the nineteenth century. The second phase was that ushered in primarily by the work of Wichern and his contemporaries. It may be described as a phase in which nation-wide attention was focused upon the correctional schools—great numbers of such institutions were founded, and the first tentative state laws regulating the service were enacted. The third phase was one in which forces moving toward centralization were working themselves out. The National Civil Code established in sections 1666 and 1838 the first definite national basis for action in committing children to correctional education. It further provided, in article 135 of the law placing its provisions in effect, what amounted to a request for state legislation on the subject by all the states. The difficulties arising from discrepancies in the statutes of the various states, together with the logical importance of national standards, led the social workers and public welfare officials to a rather complete agreement that centralized control was desirable. This agreement was fostered and made effective through various organizations, most specific of which was the National Conference on Correctional Education.

UNDER THE NATIONAL CHILD WELFARE LAW

The final chapter of the National Child Welfare Law of 1922 is concerned with the definition, regulation, and limitation of public services for the neglected-delinquent group.

The prevention or removal of neglect is specified as the primary object of correctional education. This suggests an emphasis slightly different from that currently in vogue in the United States and

England. Neglect is conceived in somewhat broader terms in Germany. The term covers two types of situations. The first includes the combinations of circumstances in which abuse or neglect by parent or guardian makes it imperative that the court remove the child and place it in the care of another family or a training school. The basis for action in such cases is found in sections 1666 and 1838 of the civil code. The second type of neglect is that which has arisen from "inadequacies of education." Neglect which has its roots in inadequacies of education manifests itself in behavior which is customarily designated as delinquent. It is a rather definite distinction between the young neglected child and the child of school age, or above, whose conduct gives evidence of unsatisfactory adjustment. The use of the term "neglect" to characterize both groups has much to recommend it. The most obvious merit of such terminology is that it suggests an assumption of accountability by the adults of the community for the conduct disorders of children and young persons.

The right to petition for correctional education for children is given by section 65 of the National Child Welfare Law to the *Jugendamt*. Whether the proceedings arise in the court or in a petition of the *Jugendamt*, notification must be given to the *Jugendamt* before a final decision is entered. This section further provides that the right of motion may be extended to other persons or officials by statutes of the individual states.

The National Child Welfare Law gives to the guardianship court the very important power of ordering medical examination of minors coming before it and of detaining them for observation for a period of not to exceed six weeks. The statute does not require that this period of detention be spent in any specified institution, but that the child may be placed for observation either in a "special institution for the reception of psychopathic young persons or in a public institution for care and treatment." In a good many cities, for example, Hamburg, Nuremberg, Munich, Stuttgart, special institutions have been set up for detention and observation of children awaiting final decision concerning family placement, correctional education, or other disposition. In other places various existing private or public institutions are employed for types of cases suited to the program and equipment of these homes.

The measures specified as permissible are designed to make correctional education a useful instrument for preventive action. The court may enter an order for correctional education and then suspend the actual operation of the decree for a period not to exceed one year. Renewal of such suspension for a second year is permissible, provided only the actual execution of the order is not postponed until after the minor is nineteen years of age. This suspension may be granted only if the child is meanwhile placed under probationary supervision. Section 67 empowers the court to enter an order for temporary care when there appears to be danger in delay. In practice the court, after sufficient examination of the situation, either enters a permanent correctional education order or prescribes some other form of treatment.

Provision for correctional education in families must be made, whenever possible, in families of the same religious belief as the minor, at least until he is fourteen years of age. The same rule concerning religious belief applies to institutions. In cases in which the administrative agency is convinced that the objective of correctional education will not be imperiled by so doing, minors may be provisionally placed under correctional education orders in their own homes. In such cases the guardianship court must review the case within three months to determine whether or not one of the more customary forms of correctional education should be ordered.

The logic of the situation would seem to suggest that the *Landesjugendamt* (state or provincial child welfare bureau) is the most appropriate body to serve as a supervisory administrative official in the whole matter of correctional education. However, certain practices of long standing made it seem desirable to leave decision concerning the designation of such an official in the hands of the separate states. In Prussia the general administrative commissions of most of the provinces have charge of the work. Although the *Landesjugendamt* was not made the official body responsible for correctional education, by the national law, its framers did suggest its importance as the logical agency for encouraging good standards in the work and for offering advice concerning the conduct of the service. The opening sentence of section 71 reads: "The *Landesjugendamt* shall participate in carrying out correctional education, provided it is not itself, through modifications by the legislative

bodies of the separate states, the official agency responsible for this work." This carries the definite implication that the framers of the law wished to encourage the centralization of all public child welfare services in the *Jugendämter* and *Landesjugendämter*. The failure to lodge both authority and responsibility with this agency has made the *Landesjugendamt* an agency of widely varying power in the several states.

Concerning the important matter of release from correctional education, the statute permits again a variety of possible procedures, leaving the ultimate regulation of details to the separate states with the stipulation that decision concerning release from correctional education may be placed in the hands either of the guardianship court or of the officials responsible for correctional education. The statute guarantees the right of appeal, both to the *Jugendämter* and to the parents or guardian of the minor, against the decisions of the court as well as against those of the administrative officials responsible for correctional education. The final paragraph of section 72 sets a limit of one year after the entering of a correctional education decree before any but the *Jugendamt* may file a petition for the release of the affected minor. Exception to this is made for those cases in which the continuance of correctional education is impracticable because of conditions "which lie within the person of the minor," provided legally regulated custody of another sort is assured. Thus provision is made for the transfer of children suffering from epilepsy, feeble-mindedness, mental disorder, or physical disability to suitable institutions.

The general provision that correctional education should be carried out at public cost left unsettled the question of what public body or bodies should bear the costs of the service. Regulation at this point was delegated to the state legislatures, with the result that various sorts of arrangement have been worked out.

The state bears the entire cost of the service in Hamburg, Oldenburg, Bremen, and Lübeck. In Anhalt the cost is borne by the same officials who pay the costs of the *Jugendamt*. In the other states the officials primarily bearing the costs of correctional education receive subsidies from other sources.

The legislators made provision for national minimums in relation

to some of the basic items in the conduct of correctional education. Certain exceedingly important questions were left to the decision of the separate states. The extension of the right of instituting proceedings, the specifying of the general administrative and the inspectional-supervisory authorities, and local responsibility for financing were specified as subject to the regulation by state legislatures. Thus, it may be said, in general, that the national legislature set up conditions under which correctional education may be ordered; it defined age limits, established the competence of the *Jugendamt* and the guardianship court to institute proceedings, defined the conditions under which release may be effected, and left the regulation of the actual procedure of treatment and educational activity to the separate states.

PRESENT PRACTICE IN CORRECTIONAL EDUCATION

Any attempt to characterize the first developments and the present situation in Germany with reference to the service which is termed *Fürsorgeerziehung* (correctional education) is certain to fall short of completeness. The most one can attempt to do in this study is to describe recent trends and opinions, relate the results of specific observation of several institutions, and summarize from reports, discussions, and literature administrative practices and results.

In the literature devoted to social-work practice few subjects were more frequently discussed than correctional education and its problems. It was often characterized as "this very much fought-over field." Until 1933 individual correctional schools were said to have ranged from the exceedingly conservative to the radical. During this period a few such training schools were under progressive or socialist leadership and sought to give as large a measure of freedom and individual liberty as was possible, in the belief that coercion was wholly undesirable for these difficult children. Other institutions were and still are conducted as Catholic cloister schools, and many of them, as well as other backward reformatory schools, were operated with almost prison-like rigor—a type of institutional management which has increased during recent years. Some superintendents were thoroughly convinced that young persons, endangered by

their surroundings, should be given opportunity for complete trade-training in the school as a preparation for satisfactory adjustment upon release. Other superintendents are equally certain that an agricultural program, including hard work in soil cultivation and animal husbandry, will have a calming influence on violent spirits and behavior-problem children and will bring about a reformation of character, quite impossible in a program centering in trade-training and industrial activity.

Through the years of the Weimar republic there were those who tried to make the physical plant and equipment sufficiently attractive and comfortable to win the voluntary co-operation of the child and of the parents and to inspire a definite measure of idealism. The vigorous opponents of this point of view regarded it as little short of criminal to give to the child in a reformatory comforts which they termed "luxuries." These comforts were, indeed, superior to those in the home to which the child had been accustomed or in which he was likely subsequently to live. The latter point of view, that comforts or luxuries have no place in a reformatory, has been fully accepted under the new National Socialist regime.

The policies of the *Jugendämter* with regard to co-operation in correctional education varied greatly until 1933. A few of them, notably those in Berlin, Hamburg, Lübeck, Bremen, and the predominant number of the *Jugendämter* in Saxony, tried whenever possible to place children in need of special care or training in suitable foster-families or institutions. This was done with the consent and the co-operation of the parents, however, without action by the guardianship court or the correctional education administration. The total number this brought under "voluntary care" was, in 1928-29, 1,180³—a comparatively small group. There are no later available statistics of "voluntary care," but there is doubtless only a small number in all states, with the exception of Baden, whose particular policy will be given below. The number of children placed in voluntary correctional education in Baden increased in 1935 to about 1,000.⁴

³ *Statistisches Jahrbuch für das deutsche Reich*, 1930, p. 447.

⁴ Otto Kersten, "Die Fürsorgeerziehung als Teilgebiet der Minderjährigenfürsorge," *Zentralblatt für Jugendrecht*, XXVIII (1937), 405.

At the opposite extreme was the so-called "last resort" theory of the *Jugendämter* in which correctional education was ordered by the court in every case. The following statement by the director of the Stettin Jugendamt is illustrative of this stricter policy: "It follows, therefore, that we bring petitions for correctional education only when the case permits of no other solution. In this procedure the court and the Jugendamt work in close co-operation with each other."⁵ But even the opinions of the judges in the courts of guardianship differed widely on this important question of correctional education.

Choice between those two policies rests finally upon the organization, conduct, and efficiency of the training schools or the supervised foster-homes. In so far as foster-families and schools used by the correctional education administration are effective agents in the readjustment of children who are not too seriously delinquent, the first practice—avoiding court procedure and friction with parents—has very clear advantages. But even though training schools have proved less effective than the preventive and healing methods of child guidance clinics and institutions providing mental hygiene treatment and specialized education, the use of the correctional schools is logically and legally justifiable as a last resort to save probable commitment of the youth to prison. Such a policy, however, clearly demands painstaking care in the selection of children for the different types of schools.

The demand for a careful distinction between the types of children and the selection of the most efficient training school have been long discussed in the literature of German social work. It was almost unanimously felt that sufficient funds for individual treatment and careful separation of the different groups of difficult children are indispensable for successful readjustment. Funds for doing this were often lacking during the period of post-war inflation and depression. Even under the new governmental regime, however, reform of correctional education has not been accomplished. Neither proper distribution of children to the different types of institutions nor the provision of well-trained educators has been accomplished. Recently an influential Berlin Nazi newspaper severely criticized

⁵ *Bericht des Städtischen Wohlfahrts- und Jugendamts Stettin, 1928, p. 59.*

the practice of the present correctional education system because it failed to differentiate between the groups of juvenile "asocial" offenders and criminals from homeless orphans and poverty-stricken, neglected, or feeble-minded and psychopathic children.⁶ The same newspaper urges also abandonment of the prevailing practice of intrusting those people who have failed in other jobs with the guidance and education of pupils in correctional training schools. Furthermore, the goal of removing correctional education from the disgrace of vice, criminal tendency, and dishonest attitude has not been reached. "Correctional education disgraces, that is the truth about which we must not be deceived by talking or the desire that it should not be so."⁷ After all the experiments made, the public looks upon the pupil in correctional education today just as it did twenty years ago—as a youngster of minor value and criminal tendency.

The change of methods in the field of correctional education under the system of National Socialism can be found in the following trends. The strict authoritative principle of the new regime has been applied especially in correctional institutions. Strict rules of discipline and absolute obedience, the re-introduction of corporal punishment, and the extinction of liberal ideas of self-government of the pupils characterize this change. Up to the present time, however, the stigma of correctional education has not been removed. Many sound conclusions from the long struggle for the improvement of this system have been theoretically accepted under the new auspices. These include emphasis upon an educational plan for each boy and girl committed to a school of correctional education and the careful selection of the family or institution best suited to care for the individual child. The same is true of the emphasis upon the importance of well-trained educators in correctional schools. These demands, however, have not been realized up to the present time and are, without doubt, in conflict with the principle of subordination of the individual which rules the new policy.

An important change in the whole correctional education plan is the demand that it adhere to the viewpoint of hereditary biology.

⁶ *Das Schwarze Korps* (official bulletin of the so-called SS, protective bodyguards, wearing black shirts), May 13, 1937, p. 6.

⁷ Kersten, *op. cit.*, p. 222.

Even before 1933 eugenic and hygienic factors played an essential role in the educational plans of most German training schools. Today, however, emphasis upon eugenic values has become, theoretically at least, the leitmotiv of the new education. The result is that only the biologically healthy children possessing good hereditary values are accepted for training in the correctional education system. All children who are diseased and handicapped on a hereditary basis are separated from the "healthy group" and merely kept in custody in cheaper institutions, called *Bewahrungsanstalten* (detention homes). An example of this changed practice is found in Berlin, where the State Child Welfare Bureau commits older pupils eighteen years of age who appear not to have benefited by correctional education to the house for asocial persons (*Arbeitshaus in Rummelsburg*—a workhouse). Similar methods are used in the Rhineland, Westfalen, Baden, and Bavaria, where young persons with behavior problems and mental difficulties are transferred to the insane asylums. We must doubt whether this solution means either help or cure for the difficult children who, though not insane, are difficult to train.

In principle the new governmental regime demands a strict segregation of all children and young persons "of inferior hereditary quality." They are given primitive custodial care in special institutions, but no training in regular correctional schools.

Another administrative and financial problem remains unsolved too—whether needy and dependent children, endangered by their surroundings, should be committed to the correctional schools or merely placed out in foster-homes or suitable institutions in charge of the relief administration or the public child welfare bureau. There has been no general acceptance of the principle that education and social adjustment should be the determining factor in such cases. On the contrary, up to 1938, financial reasons have usually determined whether or not correctional education is applied by order of the court on motion of the child welfare bureau, which frequently considers the finances of the local community.

All institutions in Germany are now educating the young in the spirit of National Socialism and fighting the peace ideals of the liberal era. "The new period asks from the correctional schools co-

operation in the military training of our youth. The goal of the firm military attitude is not an affair of a single lesson, but it must prevail throughout the whole day."⁸ This program at the same time opposes the influence of Christianity, although some of the correctional schools are still operated by the church societies and their related religious organizations. The new policy seeks to suppress these religious influences in every way: "In the framework of the correctional education system the National Socialist training system has to replace religious education."⁹

While during the Weimar era vocational training of pupils in correctional education was carefully developed and improved on the basis of experience, and higher education was being increasingly made available for these unfortunate young people, these policies have been abandoned now. Rural institutions with meager training in agricultural work and soil cultivation are today considered preferable to any other training. An important cause of this change of policy is the lack of rural workers in Germany, which has led to imposition of compulsory measures in different phases of child welfare work. Higher education is no longer carried through in the framework of correctional education.

Another important recent change in correctional education is the sterilization of the so-called "hereditary sick" pupils, which now has an important influence upon the attitude of children under this system. According to the German sterilization law, all persons who might be expected to beget children who would be physically or mentally defective must be sterilized by surgical operation. Under the law the following physical and mental diseases are enumerated: hereditary feeble-mindedness, schizophrenia, manic-depressive insanity, hereditary epilepsy, chorea, blindness, deafness, serious physical deformity, and alcoholism. The racial health court—a special tribunal consisting of a lawyer as chairman and two physicians, one

⁸ Heinz Vagt, "Die Bedeutung des nationalsozialistischen Erziehungsgedankens für die Praxis der Fürsorgeerziehung," *Zentralblatt für Jugendrecht*, XXVII (1935), 300-301; see also "Military Training," *ibid.*, XXVI (1935), 328.

⁹ Gustav Mettlach, "Die Verwirklichung nationalsozialistischer Erziehungsgrundsätze in der Fürsorge-Erziehungs-Heimerziehung," *Zentralblatt für Jugendrecht*, XXVIII (1937), 416.

of whom is the official court physician, as assistant justices—is in charge of the decision upon sterilization. Petitions for sterilization may be filed by the sick person or his representative, the official district physician, the director of a hospital, insane asylum, or other institution. Thus the directors of correctional schools are entitled to file a petition to sterilize their pupils. From 1935 to 1936 there were 2,136 petitions for sterilization of children placed in correctional schools, i.e., 3.8 per cent of all children under correctional education. Out of those 2,136 children, 1,923 were sterilized, i.e., 3.2 per cent of the entire group of children under correctional education and 90 per cent of those for whom petitions were filed, only 213 petitions being refused by the racial court.¹⁰

The disciplinary measures used in correctional schools have been criticized for many years. In Prussia in 1929 the Department of Public Welfare ordered that no whipping or other physical punishment should be given to girls of any age or to boys over fourteen years. Even for boys former methods of hair-cutting as a punishment was forbidden, as well as incarceration in a dark cell. A strict provision of the procedure of appeal was made, should children or their parents wish to complain. Liberal-minded educators and social workers insisted upon the establishment of strict rules for protection against mistreatment, whipping, and despotism toward pupils in the correctional schools. These demands were formerly widely supported by German social workers and even by judges of the guardianship courts and juvenile courts.

The new philosophy is a contrast to these theories as to what constitutes proper disciplinary measures. Following the new concepts, the National Department of the Interior in 1935 suspended the rules mentioned above and expressly reinstated whipping as a regular punishment. To maintain the authority of teachers and educators or the rules of the training school, whipping is frequently used, the punishment being inflicted immediately after the offense. The new decree also explains that any formal appeal is unnecessary, because the pupil can take his complaint to the director of the training school. Frequently, however, the youngster would have to complain

¹⁰ Figures derived from *Deutsche Jugendhilfe*, Vol. XXIX, No. 7 (1937).

against the director himself, so the new regulation seems somewhat ludicrous.

According to a recent order of the National Department of the Interior in 1937, boys and girls over fourteen years of age who show, while in the correctional school, criminal tendencies or wanderlust, or whose parents and grandparents have been criminals, are to be fingerprinted.

Introduction of the "Compulsory Labor Service" and the "Agricultural Help Service" give new opportunities of placing young persons in these services after they leave the training school. Then they enter the army for two years, so that about four to five years of compulsory service may continue the discipline of the boy following the training school. Small wonder that under these circumstances some representatives of the correctional school system appreciate that their tasks of disciplining have become much easier under the new authoritarian system. There are no studies available of the results of the methods applied because even recent publications still deal with investigations of the period between 1904 and 1933. Proposals to abolish the jurisdiction of the guardianship court over the commitment and dismissal from correctional education have not been adopted, but there is much criticism of the system of correctional education of today.

In contrast to these important changes in the practice and spirit of correctional education, there have been only a few legal changes, and these of minor importance, since 1933. The National Child Welfare Law of 1922 is still in force. The most important amendment, frequently referred to in conferences and in literature, is the so-called "detention bill," which was drafted as early as 1925, but parliamentary difficulties prevented its passing. Although no more such hindrances exist today, and the passage of this statute has been frequently demanded, it had not been enacted up to 1938.

The only state in Germany to establish new rules on child welfare, particularly concerning correctional education, is Baden. This small state in the southwest of Germany has established a new system of correctional education, following the examples set by Saxony, the Hanseatic cities, and Prussia in the use of the "voluntary education system" during the Weimar republic. The name has been changed

in Baden to "public education," which includes correctional education in the older sense, readjustment carried out by the state child welfare bureau in placing children in foster-homes or institutions, the placing of children in any approved institution by the public relief administration or the district child welfare bureaus, and even the institutional placement of children by their parents or guardian.

The plan for this new system was devised to win the more effective co-operation of parents and relatives of destitute children and to remove thereby the old stigma attached to correctional education.

The model legislation of Baden had not been accepted by the other German states by 1938, although it is highly praised and has been recommended as a pattern for the future national legislation.

Recently proposals for readjustment of destitute children were discussed in Germany; the project covered the rehabilitation of the whole family instead of treatment of the child alone and preparation for the return of the placed-out child to his family home as soon as possible. This has, however, been practiced for many decades and is of limited usefulness because the home conditions often do not improve, so that many children must remain in the foster-family or institution for an indefinite period.

Another experiment advocated recently assumes that destitute and delinquent young people should no longer be committed to correctional education or brought before the juvenile court but instead placed in special groups of the "Hitler Youth," called "protective fellowship groups" (*Schutzkameradschaften*). Some leaders of the Hitler Youth groups assume that they are able to handle through voluntary group work even criminal youth, and that they could prevent thousands of young boys and girls from becoming disgraced by correctional education and punishment. They demand that these youths should be sheltered in apprenticeship homes of the Hitler Youth instead of being placed in correctional schools. According to these proposals the success of the new methods used in correctional education seems very doubtful, particularly because the literature assumes that the Hitler Youth has already co-operated vigorously in the whole system for years. However, in the agreements made by the Hitler Youth with state and provincial authorities on the form of co-operation, it was stressed that criminals and sex delinquents, and

feeble-minded and psychopathic young persons, should be excluded from the Hitler Youth. One cannot blame the youth leaders for such a precaution, but under these circumstances it seems problematic whether the newly formed protective groups will be able to care for these difficult youngsters who represent the majority of children and young people committed to German correctional schools. The true problems of correctional education remain the treatment of behavior-problem children. It is no solution of this problem to transfer difficult children from correctional schools to insane asylums, detention homes, and prisons, where their problems certainly cannot be cured.

PROBATION

Correctional education in Germany includes, as has been shown, placing-out in foster-families and institutional care. Frequently the first commitment is made to an institution, while placement in a foster-home follows later. But either is used only as a last resort to protect or readjust a neglected child or one in a dangerous environment. Therefore, the child welfare bureau, the guardianship court, and the juvenile court often first try to readjust the child by the measure of probation or protectional supervision (*Schutzaufsicht*) before correctional education is ordered. Under the National Child Welfare Law probation is to be provided only when it is necessary and when such supervision is considered adequate to prevent physical, moral, or mental neglect of the child. Under these conditions probation is ordered either by the guardianship court or by the juvenile court. Furthermore, if the parents agree, probation services may be given by the child welfare bureau without any court order. This is called "voluntary probation." Both forms are frequently used. Social workers of the public child welfare bureau, more frequently of the *Familienfürsorge* (family care service), or a volunteer serve as probation officers. The social workers of the *Familienfürsorge* in general are working for the different departments of the public welfare administration and to a certain extent also for the public health bureau. The volunteer is usually an untrained member of a private agency or, in recent years, of one of the party organizations. The basic difference between correctional ed-

ucation and probation is that under the first the parental right of education is transferred from the family to the correctional education administration, while probation leaves the child with his family and the probation officer or volunteer, who is called an "aid" (*Helper*) by the National Child Welfare Law, assists the parents in making the necessary adjustments. The responsibility of the probation officer or of the aid is to supervise the parents and the child and to use his personal influence and skill in the adjustment and education of the child. Unfavorable influences of the parents or other persons are to be eliminated by the personal work with the child and by other means, such as group work, games, and recreational activities. In this way the child remains in his usual environment but receives advice and assistance from the probation service. So the essential prerequisite of an effective probation in Germany is a relationship corresponding to the case-work approach in the United States. The behavior of the child or young person, and sometimes that of his parents, is to be reshaped and readjusted, without taking the child from his home environment. The service thus attempts to make effective co-operation with the school, group work, church, personal friends, or club. The difficulties in German probation practice lie in the heavy case load of social workers in public and in private agencies, in the lack of time, and frequently in the poor training and lack of psychological understanding of the majority of the volunteers in this service. Recently many of these volunteers have been still less effective as they have undertaken to do political propaganda for the Nazi party, which does not further their efficiency in the probation service. Despite these handicaps probation was and continues to be one of the most important activities of the public child welfare bureaus and of many private child protective agencies.

Nevertheless, because of these handicaps of large case loads and lack of trained social workers, probation frequently has been looked upon skeptically in Germany. The method itself, however, was generally recognized as an important means of social readjustment. Recently this essential activity of the German child welfare bureau in probation case work has been questioned. Leading persons of the National Socialist party who are not satisfied with the co-operation

of the National Socialist People's Welfare Society and the child welfare bureaus in this field demand that probation be exclusively governed by the National Socialist party agency. Erich Hilgenfeldt, the director of the German "Winter Aid," explains: "In the future, protective supervision is only to be employed in cases where there is absolutely no doubt that 'neglect' can be averted. It is only to be fundamentally carried out by individuals who do the work voluntarily and not by official quarters."¹¹

Should this demand be enforced, it would mean a heavy loss to public social work and particularly to public child welfare work. Probation (or protective supervision) is one of the vital features of social work in Germany. Without the activity of the child welfare bureaus and of their trained social workers, but instead with untrained volunteers interested in party propaganda, probation would lose its educational and social function of adjusting neglected and difficult children.

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¹¹ "The National Community as Starting-Point and Goal in Germany of Today," *Social Work and the Community*, ed. Hermann Althaus (Karlsruhe: G. Braun, 1936), p. 11.

STATUTORY PROVISION FOR THE COMMITMENT OF INSANE PERSONS¹

SOPHONISBA P. BRECKINRIDGE

THE procedures connected with the detention of the mentally sick are still shadowed by two ancient attitudes from which it is difficult—has, in fact, been impossible—entirely to escape. One of these is the persistent belief that the patient is the victim of an evil spirit. Simple pious people go to church and are reminded of Nebuchadnezzar, who “lost his understanding and his reason” (Daniel 4:33), or of the story of how “an evil spirit from the Lord troubled Saul” (I Sam. 16:14), or listen to the account of the man with “the unclean spirit,” which at the words of Jesus departed from the tormented man “and entered into the swine” (Mark 5:1-16), and they may interpret the strange conduct of the prospective patient in terms of evil and terrifying influences. This attitude on the part of many persons delays the recognition of mental distress as simple illness.

The other attitude is more definite but not more easily exorcised. It is the constitutional right of every person not to be “deprived of life, liberty or property, without due process of law.”² The essential elements of due process of law have been defined by the Illinois courts as “notice and an opportunity to be heard and to defend in an orderly proceeding adapted to the nature of the case,”³ which generally provides also a right of appeal.

The procedures for commitment, having for their purpose the detention of the patient in an institution not for purposes of punish-

¹ Grateful acknowledgment is made of the contribution to the following statement by Miss Carol Goldstein, a member of the staff of field work supervisors of the School of Social Service, University of Chicago. She has competently summarized the statutes of the District of Columbia and the forty-eight states.

² *Illinois Constitution of 1870*, Art. II, sec. 2.

³ *Benton v. Marr*, 364 Ill. 628 (1936); *Lincoln-Lansing Drainage District v. Stone*, 364 Ill. 41 (1936); *City of Chicago v. Peterson*, 360 Ill. 177 (1935); *People v. Niesman*, 356 Ill. 322 (1934).

ment but to protect the community from possible harmful conduct, to safeguard the patient from his own conduct, and possibly to heal him of his mental malady, are assimilated to the proceeding in which an accused person is charged with criminal conduct and the resulting penalty is determined on the basis of a verdict of "guilty," or "not guilty."

The commitment procedure like the criminal procedure must then include the elements of notice, hearing, possibly publicity, opportunity for resistant defense, and appeal. The two procedures are, however, by no means identical. The criminal procedure is initiated by the law-enforcing authority charging the defendant with criminal conduct. The commitment procedure is generally initiated by a near friend or relative, and, if by a law-enforcing officer, it is in behalf of the patient to secure protection for him from himself as well as for the community from his unintended harm.

For example, in Illinois, the proceeding may be⁴ initiated by any reputable citizen of the county who files a statement not of the misconduct but of the mental distress of the patient. This statement must be accompanied by a list of witnesses who can establish the patient's disordered state of mind and must allege that the patient cannot safely be left at large. Either a physician must be among these witnesses signing the statement or the judge must appoint a qualified physician who will examine the patient and testify to his condition. On the basis of this statement a writ may issue to the sheriff or other officer directing that the patient be brought before the court at a time and place fixed by the court. The two proceedings are similar but they are not identical; and, while the vocabulary used in connection with a finding of insanity may include some of the same words, the commitment is entirely a civil procedure only characterized by the safeguards provided likewise in criminal trials.

Before discussing further the commitment procedure, attention may be called to the fact that provision for detention is not the only legal provision called for by the patient's condition. From ancient times it has been recognized that the insane and the feeble-minded, i.e., the "lunatic" and the "idiot" or "natural fool," must be recog-

⁴ *Smith-Hurd Illinois Revised Statutes* (1937), c. 85, sec. 3.

nized as less than capable legally, and protection must be provided them against their own "folly." In 1324, for example, in England, the king was given custody of the lands of "natural fools, taking the profits of them without waste or destruction," and finding "their necessities. . . . And after the death of such idiots he shall render [the idiots' lands] to the right heirs, so that such idiots shall not aliene, nor their heirs shall be disinherited."⁵ At the same time,⁶ the king was authorized in the case of "any (that beforetime hath had his wit and memory)" who should "happen to fail of his wit" to provide "that their lands and tenements shall be safely kept without waste and destruction, and they and their households shall live and be maintained competently . . . and the residue besides their sustentation . . . be delivered unto them when they come to right mind." These two statutes, substantially in the same form, are found in the "Act for the preservation of the estates of idiots and lunatics" enacted in Virginia in 1785.⁷ A not dissimilar provision was adopted in 1793 by the Second General Assembly of Kentucky,⁸ and in the Illinois statutes is found not only provision⁹ for the commitment of persons needing detention and care but also an act dealing with "lunatics, idiots, drunkards and spendthrifts"¹⁰ providing for the appointment of a conservator,¹¹ who shall give bond, take charge of the estate, and at the end of responsibility render appropriate accounts.

An example of another type of statute illustrating the confusion of the control of the insane with police measure is a Massachusetts "Act in addition to an Act entitled 'An Act for suppressing rogues, vagabonds, common beggars and other idle, disorderly and lewd

⁵ Great Britain, *Statutes at Large*, 17 Edward II, c. 9 (1324).

⁶ *Ibid.*, c. 10.

⁷ Hening's *Statutes at Large of Virginia*, XII, 165 (c. 66 of 1785).

⁸ *Acts, etc.*, 1793, pp. 16 and 17.

⁹ "Lunatics," *Smith-Hurd Illinois Revised Statutes* (1937), c. 85.

¹⁰ *Ibid.*, c. 86.

¹¹ Attention should be called to the fact that jurisdiction in these cases is in the probate rather than in the county court, and the procedure is circuit court procedure (*ibid.*, sec. 2). Where commitment is the question the patient must be present. This is not essential when it is a matter of appointing a conservator (*Joost v. Racher*, 148 Ill. App. 548 [1909]).

persons.¹² In this act two justices, to whom it was made to appear that a person was lunatic and so furiously mad as to make it dangerous to the peace and safety of the good people for him to go at large, were authorized to commit him to the house of correction to remain until restored, etc.

In every state, then, statutes have been enacted providing for the apprehension of persons thought to be dangerous to themselves or to others because of their mental condition and for their commitment to an official or a group of officials authorized to receive, to diagnose further, and to detain either for custody or for treatment. The development of these resources need not be traced. In 1934 there were 251 state, 24 federal, and 76 city and county hospitals for the mentally ill. Every state has at least one such institution, and five states have eight or more.¹³

In 1937 the numbers given by the census taken from 174 state hospitals, 65 county and city, 26 veteran, 2 federal, and 211 private institutions were 484,237 patients, of whom 411,814 were in state institutions, 37,493 were in county and city hospitals, 23,030 in United States and veteran, and 11,900 in private hospitals.¹⁴

In approaching the problem, attention may be called to the complexity of the governmental relationship. It should be kept in mind that, since institutional care seemed called for and this was costly and since a degree of uniformity of standard was sought, the establishment and maintenance of state as distinguished from local institutions has characterized the development in the United States. Beginning in Colonial days when the Pennsylvania legislature in 1751 contributed to the privately organized Pennsylvania hospital and when Virginia in 1769 established a Colonial hospital followed by Kentucky in 1822 and by Massachusetts in 1833, by 1848, when Dorothea Dix tried¹⁵ to obtain a federal grand of land, she reported twenty state institutions in nineteen states, Virginia already having

¹² *Perpetual Laws of the Commonwealth of Massachusetts from the Establishment of Its Constitution to the Second Session of the General Court in 1798*, II, 456.

¹³ John M. Grimes, *Institutional Care of Mental Patients in the United States* (Chicago, 1934), p. 16.

¹⁴ Census release, March 10, 1939.

¹⁵ *Memorial of D. L. Dix* (Sen. Misc. Doc. No. 150 [30th Cong., 1st sess.]).

established two, and there had grown up a widespread belief that only by state, as distinguished from county, care could it be hoped that proper diagnosis and skilled treatment would be assured.¹⁶

To the state institution, then, which may be in another part of the commonwealth, are the patients sent by the local authorities who commit, and the courts exercising this jurisdiction determine the intake of the state institutions. Since the enactment of the first statute setting up the Virginia institution, the idea of care and treatment has been indicated by the requirement of medical and nursing care. These statutes have given authority, too, to the institution to rediagnose and refuse those found not needing the care and services. But this is rediagnosis, and it becomes clearer that the first determination should include a true diagnosis, which raises the question as to the proper method of determining the status of the patient. Obviously, the question is chiefly one of diagnosis in the field of mental hygiene. The necessity of letting the patient know and of basing the detention on an authoritative determination is revealed when the procedures are prostituted to selfish purposes. If the superintendents or the psychiatrists were all not only adequately equipped technically and professionally, but likewise entirely free from political or ulterior motives, the development toward exclusive reliance on medical and psychiatric determination would be both swifter and more consistent.

The problem has arisen in many forms! The pauper lunatic was and is the pitiful object, perhaps dangerous, perhaps only foolish, but needing permanent custodial care and maintenance. The dangerous pauper lunatic meant cruel detention, then provision by poor law officials, and then institutional care of special kinds; the well-to-do person might mean unkind and mortified relatives and friends, unwilling to subject themselves to the publicity, thought of as humiliating, of a public hearing and commitment to a public institution; the rich insane may mean that selfish motives are prompting institutionalization. A case like that of Mrs. Packard, a fairly well-to-do wife of a respectable Presbyterian minister who was foolish

¹⁶ For the merits of the so-called Wisconsin plan, which contemplates state and county care, see, Albert Deutsch, *The Mentally Ill in America* (New York, 1937), pp. 234, 262, and chap. xix.

enough to take advantage of the Illinois act of 1851¹⁷ under which a husband could place a wife or a guardian could place a ward in the state institution at Jacksonville—recently established—provided the superintendent agreed that the care was called for by the condition of the patient,¹⁸ greatly retards appreciation of the nature of mental disease. Mrs. Packard's case was an indictment of the law then governing the relationship of husband and wife as well as an illustration of the great lack of diagnostic skill in the area of mental disease. But as recently as 1926¹⁹ the necessity arose of releasing from a private institution in Illinois a patient who in the court's judgment had been railroaded into the institution by a nurse and a physician for their own selfish purposes.

It is, then, perfectly clear that the patient has a right to be informed and to be given a chance to defend his mental competence. Interesting illustrations of the result of failing to meet this constitutional requirement may be found in a number of states. In New York in 1901 after the revision of the Lunacy Law in 1896,²⁰ so much of the act as failed to secure this constitutional right was declared unconstitutional,²¹ and the same result followed a similar enactment in California²² about the same time.

SUMMARY OF THE COMMITMENT STATUTES

The statutes in their entirety deal with four distinguishable aspects of the problem. These are: (1) commitment, (2) custody, (3) maintenance, and (4) discharge. Under the last would be included parole and after-care. In the following statement attention will be given only to the portion of the statute dealing with commitment.

The following statements are not documented because the sources are easily identified. It may be kept in mind that these statutes are often so entitled as to refer to "Insane Asylums," or "Insane Persons," or "Hospitals for the Insane," or "Lunatics"; sometimes

¹⁷ *Laws, 1851*, p. 98, sec. 10.

¹⁸ Dr. Richard Dewey's *Recollections*, p. 113.

¹⁹ *Crawford v. Brown*, 321 Ill. 305 (1926).

²⁰ *New York Laws, 1896*, Vol. I, c. 545.

²¹ *In re Wendel*, 33 Misc. 496 (1901).

²² *Acts of California, 1897*, p. 311; *Matter of Lambert*, 134 Calif. 626 (1901).

the provisions are found in the chapter or section dealing with charitable or reformatory institutions and those dealing with guardian and ward. In any case, the search for the material need be neither arduous nor prolonged.

To learn what happens in this nation-wide relationship between the committing authorities and the persons responsible for securing action in the care of special patients, the statutes of the states and of the District of Columbia have been summarized with reference to the following questions:

1. Who can initiate proceedings looking toward the commitment of a person alleged to be insane?
2. To what court is given jurisdiction to make this determination?
3. Is a preliminary investigation or period of observation required?
4. What is the nature of the hearing? Is there provision in the statute for the presence of the patient? Is the trial by jury or by commission? What are the qualifications of a practitioner called on (a) to certify, (b) to testify?
5. Is provision made in the statute for an appeal? If so, to what tribunal?
6. If there is an interval between the initiation of the proceedings and the judicial determination, is provision definitely made for the place of detention? That is, is the detention of a patient in a jail or elsewhere expressly authorized or expressly prohibited?
7. Does the statute specify the officer responsible for transferring the patient from the place of his domicil to the institution to which he is committed?
8. Does the statute make provision, in case the institution cannot receive the patient, for the custody of the patient until a vacancy occurs?
9. There is also the question of the volunteer patient. That procedure introduces a problem of changing relationship—which can probably be better discussed in connection with other aspects of institutional organization, but it is generally or at least frequently included among the items dealt with in the commitment section of the statute.

Besides the summary of the statutes, in so far as they relate to this question of how the patient loses his freedom and becomes a member of a group under the institutional control, it seemed worth while to ascertain the actual procedures in a selected state, and a letter of inquiry covering these same points was addressed to the 101 county judges in Illinois outside of Cook County. Of these, 78 were gracious enough to reply, and some commented at some length on the procedures as they dealt with the statute. The remaining portion of this article will therefore be devoted (1) to the summary of the statutes and (2) to a summary of the judges' replies together with excerpts from their comments.

It may be remarked here that, in general, a most cordial relation between the judges and the State Department of Public Welfare is evidenced; there is expression of a great sense of deficiency in the state provision for the feeble-minded rather than in the case of the insane, and a great dearth of psychiatric service is recognized and deplored.

THE INITIATION OF THE PROCEEDINGS

The procedure will obviously, under the statute, be determined by the degree of disturbance of the patient and by the economic and social situation in which the patient is found. If he is destitute, a "pauper," perhaps, and violent, anyone observing his condition and his need of custodial protection may usually file a petition. The private person will, however, probably call on a law-enforcing officer—a constable or other representative of the law. Twenty-one statutes therefore provide that "any person" may make a complaint or file a petition. These are Arkansas, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Nevada, New Hampshire, North Carolina, Oregon, Pennsylvania, Tennessee, Virginia, Washington, and West Virginia. In Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Minnesota, North Carolina, Pennsylvania, and Virginia the statute specifies that the person filing the petition must be "respectable" or "responsible" or "reputable." In Florida there must be five reputable citizens, only one of whom may be a relative of the patient. In fourteen statutes no person is specified.

In a number of states relatives or other persons bearing some

intimate relationship to the patient are named, such as "a relative, friend or other party interested," as in Alabama; or "blood relative, husband, or wife, or any justice of the peace," as in Maine; in the absence of other petitioners, "the county commissioners, or the supervisors of city charities of the department of charities and correction of the city of Baltimore," as in Maryland; or "the father, mother, husband, wife, brother, sister, child, or guardian, or the sheriff or any superintendent of the poor, or township supervisor, or county agent or any peace officer of the county," as in Michigan; "a relative or any citizen," as in Mississippi; "anyone with whom the patient was residing" or "the father or mother, husband or wife, brother or sister, or the child, or the nearest relative or friend, or the committee, or an officer of a recognized charitable institution, or public welfare officer or commissioner of public welfare," as in New York; or similarly specified relatives or associates. In the District of Columbia the petition must be signed by the commissioners of the District.

CERTIFICATION OR QUALIFICATIONS OF MEDICAL PARTICIPANTS

The statutes naturally vary greatly in the extent to which they specify qualifications for the medical practitioners who certify or testify or act as commissioners. These variations indicate in part the differences among the states in the psychiatric resources available.

In Alabama and Arizona no qualifications are specified, but in Alabama at least one witness must be a physician; in Arizona two or more physicians must be present at the examination. In a number of statutes the physicians are characterized by some general term such as "reputable," "competent," and "disinterested." All these three terms are used in the Arkansas statute; in Georgia they must be "practicing" and "resident"; in Idaho and Montana a physician must be a "graduate of medicine"; in Iowa he must be a "reputable practicing physician" or one of the members of the Lunacy Commission, composed of three persons. One of the witnesses at the trial should be a regular practicing physician. In Louisiana there must be two licensed reputable physicians not related by blood or marriage to the patient or interested in his estate; some variation in the use of

these terms, "qualified," "duly licensed," "reputable," "resident," "not interested in the estate" or "not interested in a hospital," "competent," "of good standing," is found in a number of statutes, although in the Mississippi statute there is no mention of a practitioner. In a number of states the statements of qualifications are more specific. The requirements may relate to length of practice, as in California (five years), or to "permanence of residence and graduation from an incorporated medical college," as in Colorado. In Delaware and Florida there must be two graduates of different schools or of schools recognized by the American Medical Association. In Kansas, where the trial is by jury, one member of the jury must be a physician "of three years practice in good standing." In Kentucky the physician certifying must have made a study of feeble-mindedness and mental disease. In Massachusetts he must be a "graduate of a chartered medical school in actual practice three years, and, for the last three years preceding, registered and of a reputation and with a knowledge of insanity satisfactory to the judge." In Delaware, Maryland, New Jersey, and New Mexico he must have practiced five years, while in Connecticut, District of Columbia, New Hampshire, New York, Ohio, Pennsylvania, and Tennessee the period is three years. In Pennsylvania one year's experience in a mental hospital seems to be accepted instead of the three-year period of general practice. In Wisconsin the required period is two years of general practice or one in a mental hospital. In Wyoming they require two disinterested, reputable, legally qualified physicians, but they prefer a psychiatrist not connected with any institution either public or private.

PRELIMINARY INVESTIGATION

In many instances it is found necessary or desirable to have something in the nature of an investigation prior to the hearing. In Alabama and Utah the judge may question the witnesses or the informant to determine whether or not there should be an examination. In Wisconsin a preliminary hearing is held and if the judge is not convinced of the patient's condition he may order an examination. Generally two physicians are appointed by the court or the judge to examine before the hearing and to report on or before that

time; one physician only is required in Alabama, Idaho, Iowa, Missouri, Nebraska, Oregon, and South Dakota. In California the county psychopathic probation officer makes a social investigation before the patient is brought before the court.

INITIAL INVESTIGATION OF PATIENT'S CONDITION OR
PROVISION FOR PATIENT'S PROTECTION

This investigation preliminary to the trial may also take the form of placement for observation, as in Colorado for an unspecified period, or in Illinois, for not more than ten days.

In California, New Jersey, and Vermont the patient may remain under observation for twenty days. In Kentucky, Massachusetts, and Texas the period is extended to thirty-five days. And in Michigan, Oklahoma, Utah, Washington, and Wisconsin the period is thirty days. In Delaware the Psychiatric Observation Clinic may examine the patient for thirty days and report to the trustees of the hospital. Provision for temporary commitment is found in Connecticut, Delaware, Kentucky, Maine, Massachusetts, Missouri, New Jersey, New York, Pennsylvania, South Carolina, Texas, Utah, and Virginia.

JURISDICTION

The question of the jurisdiction to which this especial responsibility is intrusted raises some interesting points. It may be noticed that, while the conservation of the patient's estate is sometimes intrusted to the circuit court, or the court of highest original and unlimited jurisdiction, the procedure of commitment of the person to the institution is often intrusted to the county court or county judge. Provision is made in those cases in which a court of higher status is used for resort to the lower court if the higher one is not in session. In other words, in bestowing jurisdiction, the statute takes notice of the necessity of continuous availability. However, in Alabama, Arkansas, Connecticut, Kansas, Michigan, Minnesota, New Hampshire, Ohio, South Carolina, and Vermont the probate court or the probate judge is designated. In Connecticut the superior court may also act, and in Tennessee appeal may be made to either the probate court or judge or the county court or judge. In Colorado, Florida, Illinois, Missouri, North Dakota, Oklahoma, Oregon, South Dakota,

Texas and West Virginia a county judge may act. North and South Dakota and Oklahoma have county boards of insanity, and in West Virginia there is provision for a county mental hygiene commission. In Florida and West Virginia the judge of the circuit court may also act. In Georgia the ordinary judge, or, if he is unable to act, the judge of the superior court, is designated. In Indiana the judge of the circuit or superior court may act. In Kentucky the circuit court or the judge of the circuit court may act, or when no circuit court is in session the presiding judge of the county court. In Iowa, Louisiana, Montana, Nebraska, Nevada, New Mexico, Rhode Island, Utah, and Wyoming the district court or the judge of the district court may act, while in Arizona, California, and Washington the superior court or the judge of the superior court is designated. Sometimes, as in Iowa, Louisiana, or Nebraska, provision is made for county commissioners of insanity. In Montana the chairman of the board of county commissioners may substitute when the judicial officer is not available.

Sometimes the terms are much more general—courts of equity in the District of Columbia or Mississippi, a court of record or a judge or magistrate in Idaho, New York, Pennsylvania, Virginia, and Wisconsin, the clerk of the superior court in North Carolina, any one of a list of magistrates in Massachusetts, except the judge of the Municipal Court of Boston, and similarly in New Jersey. In New York the judge of a court of record or a justice of the supreme court may act.

In Delaware, Maine, and Maryland there are special arrangements. In Delaware the State Board of Trustees of the Delaware State Hospital may act. In Maine the officers of towns constitute a board of examiners. If they neglect or refuse to act for three days after the complaint, complaint may be made to the probate judge or to two justices of the peace. In Maine parents may, if they are able to meet the cost, place their minor children within thirty days of the attack of insanity. In Maryland the county commissioners or the supervisors of city charities of the Department of Charities and Corrections of the city of Baltimore may act, or the judge of the circuit court of the county or the criminal court of Baltimore is designated.

PRESENCE OF THE PATIENT AT THE HEARING

Reference has been made to the patient's constitutional right to notice and hearing, to his right to present what the courts call a "resistant defense." The question should be raised as to the extent to which the statutes expressly recognize this right. In thirty-five states the patient's presence is required, except that in a number of cases, the probability of harm to the patient is recognized as a reason for his not appearing. This danger must usually be evidenced by the testimony of one or more physicians. These states are Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, and West Virginia. In some of the statutes the presence of the patient is said to be "indispensable," in some it is "required unless injurious," in some it is secured by the issuing of a warrant, in some the patient is to be brought by the sheriff, a probation officer, a constable or a friend (Tennessee). In Alabama and Pennsylvania the judge is expressly given discretion to dispense with the patient's presence. In Wisconsin and Wyoming the presence of the patient at the final hearing may be dispensed with if the judge or court is satisfied as to his insanity. And in Florida, New York, and Texas provision for a hearing is made only upon the demand of the patient or another in his behalf. In New Jersey and Vermont the presence of the patient is determined by his desire to attend and to be heard, and in the District of Columbia, Maine, Maryland, Mississippi, and New Hampshire no mention is made of the subject and there seems to have been no judicial decision bearing on this topic.

TRIAL BY JURY OR COMMISSION

The constitutional requirement of "due process" means notice and hearing, and for a serious charge, a trial by a common-law jury of twelve. The commitment statute usually provides for a jury of six on demand or a medical commission. In the District of Columbia, Mississippi, and in Arkansas "if the facts are doubtful" a jury trial is

required.²³ In Illinois, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Oklahoma, Texas, Washington, Wisconsin, and Wyoming a jury trial will be held on demand, or if the judge prefers. Otherwise a commission will decide. In Alabama, in the District of Columbia, in Missouri, and in New Jersey there may be a jury trial or the judge may hear the case and render the decision. In New York the judge or his referee may hear the case. In Colorado, Florida, Georgia, Iowa, Louisiana, Nebraska, North Dakota, Pennsylvania, South Dakota, Virginia, West Virginia, and Wyoming the judge commits or refuses on the recommendations of a commission or the commission decides; in Wyoming the commission is composed of two disinterested, reputable, legally qualified resident physicians, preferably one a psychiatrist not connected with any public institution. Delaware has a special procedure—a certificate of two reputable physicians accompanies the application for admission to the state hospital. The patient is then examined by the Psychiatric Observation Clinic in the state hospital. The clinic reports its findings to the board of trustees of the state hospital. If the report recommends admitting the patient, the trustees may summon, on request of any person related to him, a jury of six to pass finally on the patient's mental state; in the absence of such request a committee of two physicians makes a final recommendation. In the statutes of twenty-two states no mention is made of the kind of trial. These are Arizona, California, Connecticut, Idaho, Indiana, Maine, Minnesota, Montana, Nevada, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oregon, Rhode Island, South Carolina, Tennessee, Utah, and Vermont.

APPEAL

It is sometimes claimed that a right to appeal belongs with notice and hearing as an essential feature of "due process of law." No provision for appeal is found in the statutes of the following thirty-seven states: Alabama, Arizona, Arkansas, the District of Columbia, Florida, Idaho, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, North

²³ But see *Sharum v. Meriwether*, 156 Ark. 331 (1923).

Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

In five states, namely, California, Colorado, Iowa, New Mexico, and New York, where a trial has been held other than by jury, an appeal may be taken for a new trial by the same court by jury. In New York the rehearing in the supreme court is before a justice other than the one making the order of commitment. In New Mexico the appeal is tried before a committee or jury of three to five alienists appointed by the court from outside the judicial circuit.

In Connecticut, Delaware, Georgia, Illinois, Kansas, New York, and Vermont the right is expressly granted, generally from the probate to the higher, the district court. In Delaware the appeal is to the chancellor of the state.

DETENTION PENDING COURT DISPOSITION

There is often a period between the time of the filing of the original petition and the determination of the patient's status. While the decision may be reached on the same day, it may be necessary to provide for care during a considerable period. In the statutes of sixteen states there is no reference to this subject. These are Alabama, Arizona, Arkansas, Florida, Idaho, Illinois, Kansas, Maryland, Mississippi, Montana, Nevada, New Hampshire, North Carolina, Oregon, South Carolina, and Virginia.

In nine states the use of the jail is forbidden unless the patient is so violent as to need such confinement. These are Colorado, Iowa, Massachusetts, Michigan, New York, Rhode Island, Texas, West Virginia, and Wisconsin. In four, the county or city jail is regularly used, the responsibility for the custody of the patient resting in the sheriff or a constable. These are District of Columbia, Georgia, Indiana, and Ohio. The county home may replace the jail if there is available space. In four states, namely, Nebraska, New Mexico, North Dakota, and South Dakota, reference is simply made to "suitable custody." In New Mexico the district judge may determine the point. In California, Connecticut, Maine, Massachusetts, New Jersey, Ohio, and Washington the judge may make such order as he sees fit, and in Missouri, Tennessee, and Utah the sheriff de-

termines the place of confinement. There is provision for detention in the hospital in the following states: California, Connecticut, Colorado, District of Columbia, Delaware, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming. It should be noted that in connection with this provision the statute undertakes to provide both safe and suitable care. In a number of cases the period is limited. In Connecticut, New York, Utah, Washington, and Wisconsin the period may be as long as thirty days. In Kentucky it may be for thirty-five days. In Vermont it may be, however, only for twenty days and in Illinois and in Pennsylvania it may be for not longer than ten. In Alabama, Minnesota, Rhode Island, and Wyoming the hospital is designated simply as a place of detention. In Illinois and Kansas the period of observation is ten days but the place of detention is not mentioned.

TEMPORARY PLACEMENT OF PATIENT PENDING TRANSFER TO INSTITUTION

The determination of the patient's condition must sometimes be followed by a period of waiting, and the question is what provision is made for the temporary placement of the patient in case his permanent transfer to the institution cannot immediately take place. There is no provision regarding this aspect of his situation in the following twenty-seven states: Alabama, Arkansas, California, Colorado, Connecticut, Georgia, Idaho, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, South Carolina, Vermont, Washington, Wisconsin, and Wyoming. In Illinois the court may make such further provision as "requisite and lawful." In Iowa, Kentucky, Nebraska, Ohio, North Dakota, and South Dakota special provision is authorized. In Oklahoma the use of the poorhouse for such detention purposes is definitely forbidden. In Delaware the patient is cared for in the hospital. In Arizona and Utah the county commissioners are directed to provide for the safe confinement and care of such patients until they are placed in the institution. In

Florida and Oregon the patient may be placed in custody of the sheriff. In Indiana, Mississippi, Missouri, North Carolina, and Texas he may be kept in the county or city jail. In Indiana the clerk of the court directs the placement, but the patient may be detained in jail only on the order of the court. In California they have county receiving hospitals. In Virginia and West Virginia he may be placed in the custody of the sheriff who may detain him in jail if he is violent or dangerous or place him with relatives or friends if such placement seems safe for the patient and the community. In Virginia the period of detention is limited to six days; in West Virginia to ten. In Texas he may be detained in jail for thirty days, and the county health officer is responsible for his "comfortable, safe, and humane confinement." In the District of Columbia he may be detained in a hospital or asylum or in the police station or house of detention. In Iowa, Nebraska, North Dakota, and South Dakota the kind of special provision that is suggested is the appointment of a special custodian if his friends are able to support him, or the county home or the jail if he is violent. In Ohio he may be kept in the jail and the county home; in Kentucky he may be admitted to guardianship or detained in a county asylum, if there is one; in Rhode Island he may be placed in the care of Butler Hospital or in a poorhouse or in a city bridewell for no longer than five days if his condition warrants that form of detention. In Tennessee he may be placed in custody of the sheriff, with friends or relatives, in a county institution, or, if necessary, in the jail.

TRANSFER TO THE MENTAL HOSPITAL

The moment arrives when eventually the patient is to be conveyed to the institution in which he enters upon a period of therapeutic custody. The questions of the method of transfer and the personnel for transfer are dealt with differently in different states, except that everywhere a woman patient must be accompanied by a relative or by a woman attendant. In the District of Columbia, Maryland, New Hampshire, and Pennsylvania no provision is made in the statute with reference to the personnel responsible for the transfer. In Delaware the patient may be in the hospital at the time of commitment. In Arkansas, California, Illinois, Indiana, Iowa,

Kansas, Louisiana, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Ohio, Texas, Utah, and Wisconsin the patient may be conveyed by the sheriff or by some other local official; often preference may be given to his relatives or near friends. In a number of states a special officer is named in connection with this responsibility. In Colorado the judge must designate a trained attendant. In Connecticut it must be some suitable person, preferably a near relative or friend. In Idaho it is the agent of the hospital. In Kentucky it is a competent person from the institution, and so similar provision characterizes the enactments of Florida, New York, North Carolina, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, Washington, West Virginia, and Wyoming. In the states of Alabama, Arizona, Georgia, Maine, Michigan, Oklahoma, and Vermont, either the judge or the administrative officials of the county are to make provision for the transfer, but no certain person is named as the responsible companion of the patient. In Rhode Island the State Welfare Commission appoints the responsible person.

VOLUNTARY COMMITMENTS

A further statement should be added with reference to the admitting of volunteer patients, since these arrangements are generally authorized in the commitment statute. Provision for these voluntary self-commitments is a recent feature of the legislation. Provisions are found in the statutes of thirty states while in the statutes of the other eighteen states and the District of Columbia no reference is made to such an arrangement. These states are Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, Idaho, Iowa, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Tennessee, and Wyoming.

The statute deals with the question of the patient's ability to meet the cost of his institutional care and support his natural dependents; of his being in a condition of mental competence enabling him to appreciate the nature of his own act in applying for admission and the responsibility of the institution in accepting him. The statutes recognize his right to withdraw at will. For example, the Illinois statute provides (sec. 37) that all voluntary patients shall have the right to

leave the hospital at any time on giving three days'²⁴ notice to the superintendent. In most of the statutes the superintendent has no discretion in the matter of the patient's leaving when he desires to do so; although the longer intervals would make it possible to institute commitment procedures if this seemed important to the officials of the institution or of the county from which the patient came.

THE ADMINISTRATION OF THE COMMITMENT
STATUTE IN ILLINOIS

The statutes are state wide in their application, but they are administered by the local authority. In Illinois the jurisdiction in commitment procedure is vested in the county court. The terms of the Illinois statute have been summarized, and it has been pointed out that the proceeding may be initiated by any one of several interested persons, that notice must be given the patient, that the opportunity to defend must be provided either before a jury of six or before a medical commission of two. A period may intervene between the filing of the required certificate and the hearing, and there may be some delay when a patient has been found insane before he or she can be transferred to the appropriate institution. In Illinois there are 101 counties other than Cook where use is always made of the county psychopathic hospital for diagnosis and the hearing before a medical commission is held in this hospital, and it was thought that information from these outlying or down-state counties would be appreciated.

A letter of inquiry was therefore sent to the county judge in each county outside of Cook asking the questions listed. To that inquiry seventy-eight replies have been received, from counties in all parts of the state—north and south, east and west, and central. On the basis of these replies the following statements may be made as to the practice under the statute at the present time.

As to initiating the proceeding, in forty-two counties a member of the family initiates; in thirty-five it is usually a member of the family; but in six sometimes the physician does this; in twelve it is

²⁴ This period may differ. In California the period is seven days, in Connecticut it is ten days, so with Kansas and Maine, but subject to the brief period so allowed, he may go when he wishes to go.

sometimes the law-enforcing officer; in five the state's attorney; in twelve sometimes a reputable citizen replaces the usual member of the family. One judge did not answer this question.

On the subject of the qualifications of the physicians other than being licensed to practice, fifty-four reported that no other qualifications were demanded; eight described the requirement as simply that he be a practicing physician; one asked that he be "capable"; three that he reside in the county; three that he be familiar with the case; two that he have experience with mental cases; two that he be known to the judge; three that he be a resident practitioner; and this time two judges failed to reply to this question. There were some comments on the inadequacy of the supply of psychiatric skill, but reference will be made to that at a later point.

With reference to the place of detention between the time of filing the petition and the trial, or between the determination as to the patient's status and his or her transfer to the institution—and no delay has ever been experienced because of lack of space in the institution—in five counties the patient is detained in his own home. In thirty-three it is reported that the patient is detained in the jail, and it is probable that any case of serious disturbance—i.e., any "violent" case—is taken to the county jail. Often the whole procedure is completed in one day, and the patient is at once transferred to the state institution. In six counties the jail and county farm are named; in ten cases jail unless the patient can be kept in his own home. In forty-nine out of the seventy-eight reports the jail is mentioned. In six counties he may be kept in the sheriff's custody.

As to the form of trial—i.e., by jury or by commission of two physicians—twenty-eight reported that only the commission is used, and only one reported usually a jury but sometimes a commission. One did not answer this question, the other forty-eight reported that the commission was used unless a jury is specially requested.

With reference to the transfer to the institution, thirty-three reported that the sheriff alone was used for this service, thirty reported that a member of the patient's family or the sheriff; one reported that a member of the family acted; in thirteen cases the sheriff and a relative, unless the relatives could manage alone. In one case,

Henry County, the judge in the warrant indicates the method to be pursued in making the transfer.

As to costs, in thirty-three counties, the county met the costs; in seventeen the county or a relative; in one county the state paid the costs; in one the sheriff met the cost; in twenty-four the county or the estate; in one the petitioner. One judge failed to answer this question.

Again acknowledgment should be made of the kindness of these busy officials in so replying to these questions as to throw light on this state-wide arrangement by which the county courts determine, in part at least, the intake of the state institutions.

With reference to suggested changes in the statutes, sixty-one judges had no changes to suggest, but the other seventeen had interesting comments to make. For example, with reference to the power of the judge, Judge Grove, of Carroll County commented as follows:

I appreciate the fact that the County Judge has power in these cases which would be susceptible to abuse.

In the great majority of cases the patient furnishes all necessary evidence. And the average doctor knows little about mental cases. If circumstances so indicate, it has been my personal practice to be very skeptical and I have personally intervened to save a number of patients from designing friends. On the other hand I know of no legal machinery that would take the place of such personal supervision. In the average small county, no psychiatrist is available. I seem to have no suggestions about changes in procedure. You are likely to make such procedure unnecessarily cumbersome in more than 99 cases in order to give a protection in the very unusual 1 case.

Judge Stringer, of Logan County, writes:

The law now requires that no hearing on an insanity case shall "take place until the person alleged to be insane shall have been notified as the Court shall direct." This section should be amended to provide that if, on satisfactory evidence produced to the Court that patient is violent or dangerous to others, the Court may hold hearing and commit patient. No reputable judge will take any undue advantage of such a provision and it is a necessary provision.

Also I would provide that all petitions alleging insanity should be accompanied by endorsement of reputable physician that patient is in need of hospital treatment as an insane patient.

Judge Nye, of Ogle County, who graciously asks to be informed of intended amendments, says that he is not

prepared to criticize the statute from our situation here in Ogle County. We have found that the present law seems to present sufficient latitude to allow us to take care of all of our cases. I, personally, like many of the provisions which allow the Court quite a wide discretionary power in these cases. It is needed, because every case is an entirely different problem. I would be glad to hear from you as to just what changes are required or contemplated.

With reference to the medical commission, Judge Walker, of Jefferson County, writes:

I believe that the fault, if any, lies in the medical commission. Very seldom does a medical commission refuse to find a person not insane. I guess they feel that they should find them insane in order that they may feel that they have earned their fee.

And Judge Morthland, of Macon County, makes the following interesting comment:

I have acted as County Judge for only four months last past, and during this time, I have learned that it is the practice to select physicians at random to act on insanity commissions. The Medical Society of this community even requests that the appointments be equitably distributed among the Profession.

I am of the opinion, that this practice should not only be criticized but should be condemned, and that the investigation should be conducted by a commission of men learned in the subject. This, no doubt, would be very difficult in smaller counties since there are very few men who devote their time to the subject of mental disorders. This is indelibly impressed upon me since Macon County with a population of almost 100,000 has no particular man who is either a psychiatrist or a psychologist.

Since it seems impossible to find men of this character in the different communities, I would suggest that the State Department furnish trained men to carry on the investigations under the direction of the Court. I would also suggest that prior to making a finding, the Commission be better informed as to the history of the patient, and that a psychiatrist be attached and become a part of the School System of each School District and also be available for use by the Court.

With reference to the relationship of the court to the department of public welfare and to the institution, Judge Meyer, of Clay County, writes:

Closer co-operation by the Department of Public Welfare with the County Court might be suggested, though I have no complaint to make.

And Judge Cowlin, of McHenry County, suggests:

Having had no trouble with insane commitments, I am satisfied with the procedure, the way it is. The only trouble that we have had, is with feeble-minded patients, which, of course, is another matter and one that requires more attention in my opinion, than the insanity question does.

Judge Edie, of Piatt County, points out:

There is a growing need of some means being made available for the care, and so forth, of habitual drunkards.

Judge Elliott, of Wayne County, comments:

The law for committing insane persons is fairly satisfactory. It provides that if the institution is full, another patient shall be released to admit the one recently committed. If there is much doubt about the condition of insanity a jury trial can be had.

Judge Garrison, of Williamson County, writes:

We have had very good cooperation from the State Hospital at Anna and I feel that the present system is about as good as could be worked out. I judge from your questions that in some instances patients are held in jail or other places of confinement for periods of time prior to the hearing. I have made it a rule that no patient shall be confined if it can possibly be helped and under no circumstances shall he or she be held in the barred portion of the jail. In every instance the hearing is held the next morning if the person was placed in confinement after five o'clock of the day before.

As to who signs the petition we follow the rule of allowing the family as much leeway as possible. In many instances the members of the family realize that their relation is insane but hesitate to sign a petition because of strained relations which it may cause with other members of the family. In such instances I usually suggest, and I believe rightly, that they have some friend or neighbor, who is willing to assume the responsibility sign for them.

Judge Peacock, of Grundy County, writes:

My first suggestion as to the change of the law is that the insane institutions be re-named by striking any reference to the word "insane" from the institution; that the Courts be given greater and broader powers as to the administration of the institutions. It is my firm belief accurate medical findings and reports relative to each patient that is committed be kept regularly on file in the County seat or in the Court from which they are committed and that the Court have the power to punish by way of contempt or otherwise any malfeasance or lack of diligence as to the care of particular patients from their county in the institutions and that some method be arranged whereby adequate information can be obtained by agents of the Court as to the care of the patient in the institution,

and that in addition to our state institutions that the counties be provided a method under and by which they can detain in suitable places in their own county what we call borderline cases. Most recently we had a sad experience in this county of a young man who had a marked change in his life and in his habits and character during the last three or four years which culminated in a homicide. The condition of this man and the change was well known to a number of the people of this county, including his family, but as our statutes now stand today we were without adequate means and provisions of our statute to care for and treat the subject. I am sure that if my physical condition would undergo such a marked change that I would become addicted to the use of liquor or any other evil that might be available to me, it would be appreciated by me if our officials would apprehend me and force me to take some sort of institutional care to build me up physically and mentally to the point where I had resistance enough to desist from those practices. It is my suggestion that each of the institutions of the state charged with the care and maintenance of insane patients conduct a public clinic free of charge whereby friends and relatives may go or take on suspicion these borderline cases, but in no case should any amendment be made or any statute passed which would establish a commission or bureau for the handling of this type of case.

Judge Lawless, of Brown County, thinks that in case of voluntary patients, the institution should have to keep them long enough for diagnosis, at least.

Judge Knoch, of Du Page County, knows of no particular change needed, as in our County we have had somewhat over 100 commitments during the calendar year, 1938, and all seemed to work out nicely.

It would be a great help to have a local detention hospital where patients may be placed under a period of observation before trial.

Insane persons are never incarcerated in the County Jail awaiting trial unless they are so extremely violent there is no other recourse, and then they are never there over a twenty-four hour period.

Judge Cowing, of Will County, warns:

Occasionally extreme care must be used to avoid injustice. Procedure should be as easy on family and patient as possible, without, however, giving up necessary safeguards.

Judge Conger, of White County, has been very much impressed with the unusual service given by Anna State Hospital to our mental cases.

He calls attention to a serious omission in the questionnaire and comments:

You have overlooked in your questionnaire voluntary patients, of whom there are many. In this classification, specialized service is given to many who apply as suffering from nervousness, and so forth, but whose real trouble is bodily—syphilis, alcoholism, diabetes, and so forth.

Judge White, of Montgomery County, thinks:

The statute in regard to voluntary patients giving three days notice of their desire to leave should be altered in some way. I have had two cases come to my attention where patients had gone as voluntary patients; later, notice was served of their desire to be released. In each case the patient asking to be released was not physically or mentally able to be moved at the time of giving the notice.

Judge Fenstermaker, of Morgan County, comments:

Unless the case is a clear one, the patient needing immediate commitment, I endeavor to have the patient sign a voluntary application for admission, or I issue a ten day commitment, after which time I call the State Hospital for a report on the patient. I depend a great deal on the advice of the hospital staff. If the staff recommends a hearing, a commission is appointed to hear the case—this plan appears to be working out well.

SUMMARY

It is neither necessary nor profitable to attempt a summary of the material presented in the preceding pages. Two questions present themselves to the student of welfare development. There is the question of gradually extricating the medical psychiatric from the legal. In the solution of this it becomes of great importance that the medical psychiatric profession establish confidence not only in their professional attainments but in their ability to take a public as distinguished from a biased point of view. The second question is jurisdictional. The supply to the local authorities of expert aid depends on the development of state-wide agencies, and the desirability of a national program in mental health is an item in the list of proposals of the National Health Committee. A suggestion, too, is found in the development of the Mental Hygiene Division of the United States Public Health Service. These developments would, however, call for another chapter and can only be mentioned here.

UNIVERSITY OF CHICAGO

SIX COLONIAL "CASE HISTORIES"

MARGARET CREECH

THE methods by which the principles of the poor law of Elizabeth became the poor law of the American colonists are familiar to students of the history of public welfare. However, because of the scarcity of research into the administration of these early laws little is known of the actual details of the care given to the poor. Although several hundred years before such modern technique or terminology as "case work," "social history," or "category," it is apparent that the Colonial town officials made real effort to meet such diverse needs as appear in the selected cases below.¹ Here is the relief for loss by fire (Brabrook); the care given widows (Brabrook and Bloyce); the effort to prevent idleness with its consequence of relief (Benjamin); the aid in a case of "distraction" and lameness arising from the condition of the prison (Childs); the aged (Wyeth); and the woman without residence who was "sick of the meazels" (Freeman).

1. JOHN BRABROOK²

At a General Town Meeting the 5 of January 1651: Granted to John Brabrook 30£ towards his loss by fire which said 30£ is to be added to the former rate of 40£—70£.

At a meeting of the Selectmen 19 January 1651: Agreed that there shall be 27 pounds delivered into John Bisko his house and that Ensign Bartlett and John Bisko shall take care that it be laid out for the best advantage of John Brabrook.

At a meeting of the Selectmen the 29 of the 11th 54: Ordered that John Whitney is to join with John Wincoll and to act in and to dispose of part of the goods and estate of the Widow Brabrook for the paying of several debts and for maintenance of her and her children and they are to let her house and land and are to inquire after her debts and to refuse them as shall be found due to her and to make return to the rest of the Selectmen.

¹ For other selected cases of the Colonial period see Margaret Creech, "Some Colonial Case Histories," *Social Service Review*, IX (1935), 699; see also Eleanor Parkhurst, "Poor Relief in a Massachusetts Village in the Eighteenth Century," *ibid.*, XI (1937), 446.

² *Watertown (Massachusetts) Records, First and Second Books of Town Proceedings with the Lands, Grants and Possessions, also the Proprietors' Book and the First Book and Supplement of Births, Deaths and Marriages* (1894), I, 26, 30, 40, 43-47, 51, 53, 55, 59, 73, 77, 78, 81, 82, 92, 93, 100.

At a meeting of the Selectmen at Brother Wincolls house the 27 of the 9 month 55: Credits given the last year—Bright to Widow Brabrook 3s.

At a meeting of the seven men at John Wincolls the 21st of January 1655: The town is debtor to old Winter for the Widow Brabrook and her child 12s.

At a meeting at Brother Stones February the 26th: February 26th 1655 by the consent Selectmen John Collier hath hired the house and land with two cows of the Widow Brabrook, and is to pay for the same the sum of seven pounds and in part of payment to let her have for twenty weeks, a pound of butter per week and in part of her pay he is to give her a fat hog at the latter part of the year, and what fencing or repair to the house is necessary he is to do it, and to set off in his rent, also she is to have her houseroom and firing, with the grinding of her corn, the carriage of the said corn he is to be allowed for, the other part of the pay to be of all such grain as grow upon the ground, proportional.

The mark of
JOHN X COLLIER

March the 24th 1655: At the meeting house upon a training day the seven men agreed that Simon Stone and Samuel Thatcher should overlook the work and account of James Cutler concerning the Widow Brabrook, and to make a full end of those particulars in question.

At a meeting of the Selectmen at Thomas Underwoods the 27th 9th 56: Agreed with John Collier for the year ensuing that the same conditions which the last year was undertaken by the said John to the relief of the Widow Brabrook shall in all particulars stand in force, only he is to be abated 40s. in his sum of 7£ and the widow is to have the fruit in the orchard.

At a meeting of the Selectmen upon the third of February 1656: Ordered that Ephraim Child is allowed by the Selectmen to make covenant betwixt Widow Mixter and the child of Widow Brabrook.

At a meeting of the Selectmen upon the 8th of December (57): Reckoned with John Collier and there is due upon agreement for Widow Brabrooks land, according to his account given in the sum of eighteen shillings.

January 25th (57) At a meeting of Selectmen at Bro Bearsto: To Crisp for Widow Brabrook 5s.

At a public town meeting upon the 10th of January 1658: To Benjamin Crisp for Widow Brabrook 5s.

At a meeting of the Selectmen December the 30th 1661: John Wincoll for fencing the land of the Widow Brabrook and wheat 9s. 6d.

29 (10) 63: What the Selectmen have laid out for the use of the Town this year: . . .

| | £ | s. | d. |
|---|-------|-----|----|
| More for widow Brabrook as doth appear in our particular account. | 1-18- | 8- | |
| Nathaniel Treadaway hath laid out for Widow Brabrooks use | 1-14- | 10- | |
| And to Good Line for boards for Widow Brabrooks house. | 0-19- | 6- | |
| Lieut. Beers for Widow Brabrook. | 1- | 7- | 8- |

At a general town meeting: 4 (10) 1663: The town agreed with Samuel Thatcher (at four shillings per week) for the keeping of Widow Brabrook: one whole year:—the year began the 25 of May last.

At a meeting of the Selectmen at John Hammonds: 28 (1) 1664: Agreed that the cow of Goody Brabrooks in Lieut. Beers hand shall be sold to discharge part of what the town hath paid for her this present year.

Goody Brabrooks house and barn with the upland and meadow adjoining: is let to John Hammond for one year: for which he engage to pay forty shillings: to be paid in corn at price current.

At a meeting of the Selectmen the 3 of May 64 at John Coolidge senior: Deacon Thatcher coming to give his account of the twenty-one shillings (excepted in his account about Mr. Feakes estate) presented that he had given to Widow Brabrook and Fillpott and Edward Sanders (to relieve their necessity) ten shillings; of the said sum of 1£ 1s. which the town allowed of.

Agreed with Deacon Thatcher to keep Widow Brabrook (until the next choice of the Selectmen) upon the same price by the week as was then agreed upon; when the present Selectmen were chosen.

At a meeting of the Selectmen at John Shermans: the 22 (7) month 1668: Agreed that Captain Hugh Mason; and John Sherman; shall take out the execution against the house and land that was John Brabrooks: and procure the Marshall to extend it; for paying the debt due to the town; according to the judgment granted by the Court.

At a general Town Meeting the 2d (9) 1668: Agreed that Brabrooks house and land (being seized by execution) shall be sold to pay the town debts.

Month the 2d and 8 day in 70: I received a bill of Brother Barron where in Mr. Norcross do acknowledge that he had received eleven pounds fifteen shillings and three pence which was by me Thomas Hastings appointed to be paid as a debt due from Brother Barron to the town in part of the payment for Brabrooks land and due to Mr. Norcross from the town as a part of his salary for keeping school in the year 1669.

2. SAMUEL BENJAMIN³

At a meeting of the Selectmen the 13 (10) 1653: Samuel Benjamin was presented before us for idleness by Mr. Norcross which did too evidently appear by his ragged clothes and divers debts appearing but upon his promise of amendment he was released unto the next year.

At a public town meeting upon the 8th of December 1656: Ordered that warning be given to Samuel Benjamin to make his appearance before the seven men at the house of Lieut. Beers upon the 5 day of this week 11th of this month December and there to give account of the spending of his time, from the time of mihiltide [Michaelmas] to this day.

³ *Ibid.*, pp. 33, 48, 49, 52, 60, 62.

December the 11th meeting of the seven men: Samuel Benjamin appearing before the seven men according to their appointment he hath given so good account of the spending of his time, as that the seven men are well satisfied therewith.

At a meeting of the seven men, 11th March 56: It is ordered that Jonathan Phillips, Joshua Bassum, Samuel Benjamin, John Knop, have liberty to provide themselves to covenant with some honest masters for a year, between this and Cambridge Court, and in the meantime, to give a weekly account in writing, of every day's work into the hands of the Selectmen or Ep. Child or otherwise to give their answers to the Court.

At a meeting of the Selectmen at Michael Bearsto his house January 18 (58): Ordered upon inquisition that Messrs. Phillips and Will Bassum and Samuel Benjamin be sent unto, that they do give such a satisfactory answer unto the Selectmen in the behalf of Jonathan Phillips, and Joshua Bassum, and Sam Benjamin in his own behalf, how they do spend their time that there may appear such care to be taken, that laws as much as can be preserved and abuses reformed.

At a meeting of the Selectmen upon the 6th of July (59) at the meeting house: Upon the complaint of some of the inhabitants of the town concerning a parcel of land taken in by Samuel Daniel, and Samuel Benjamin. It is therefore ordered, that the said land thus in question appearing to belong to the town, and they do agree to take a time to the regulating of the same and with it is that belongs to the town, the time that this is to be done this day month after the date hereof.

It is agreed that Samuel Daniel and Samuel Benjamin, refusing to come at the summons of the Selectmen, according to the town order, they should pay 5s. a piece for their so contemning of the order.

3. FATHER BLOYCE: RUTH BLOYCE⁴

This 14th of the (8) 1673: To Father Bloyce for sweeping the meeting house and locking out the dogs 4£ 10s.

The 30th of the 8th month 1674: To Father Bloyce for tending the meeting house 4£ 10s.

The 3d of September 77 a meeting of the Selectmen at Simon Stones: To Father Bloyce for tending the meeting house 4£ 10s.

The (14th) of October 1679 a meeting of the Selectmen: To Father Bloyce his salary 4£ 10s.

The (31) of the 8 month 1679: To Father Bloyce for his salary 4£ 10s.

At a meeting of the Selectmen the 24th of January 1687: This may certify those whom it may concern that a little time after old Father Bloyce died there being a meeting of the Selectmen of Watertown at the house of Deacon Hastings he being one of said Selectmen at the time: at the close of the day Ruth Bloyce the

⁴ *Ibid.*, pp. 116, 120, 132, 139, 141; *Watertown Records Comprising the Third Book of Town Proceedings*, II, 34-35, 119, 137, 189, 205.

relict of the aforesaid Bloyce came with Henry Godden and his wife: old Goodman Perry came along with them: their errand was to crave the concurrence and allowance of said Selectmen: that the said Ruth might live and be with the said Henry Godden: the reason alleged was because the said Ruth and wife of said Henry Godden had been acquainted with each other from children and there had been love between them: and was likely to continue: unto which desire and motion said Selectmen did readily comply with now the terms was this the said Godden was willing to take said Ruth to allow her houseroom firing and to carry her corn to mill with his own when need should be and to be helpful in case her distemper should prevail on her to preserve her from harm as much as he was capable of: but not to be at the whole charge in case said Ruth should by the hand of god prove a total charge and that which said Godden propounded as his recompence was to enjoy the house and land which was formerly the fathers of said Ruth: and in case the said house and land should be taken away or by any means recovered from said Ruth or from said Godden that then the Town aforesaid was to allow unto said Godden such satisfaction as he should justly deserve for his cost, care and trouble occasioned by said Ruth Bloyce: now there was a great deal of discourse about this matter but this is the sum of all: and the reason why nothing is to be found on record about this matter may be because as was said it was at the close of the day and it might be omitted on that account, however the said Godden did take the care and charge of said Ruth from the said Selectmen and not of himself nor from said Ruth alone and what is above expressed is the truth of the matter to show how and on what terms the said Godden and said Ruth first came to live with one another.

This is firmed by

WILLIAM BOND SENIOR

JOHN COOLIDGE SENIOR. Jo. his mark

JOHN BISCOE

JOHN SHERMAN

At a general town meeting orderly warned: the 20th of May 1698: Voted by the town that so long as Henry Godden doth entertain Ruth Bloyce with houseroom and firing he the said Godden shall be freed from paying any rates or taxes to the public.

At a meeting of the Selectmen March 25th 1701: At the above said meeting the Selectmen desired Lieut. Jonas Bond to accommodate Ruth Bloyce with one pair of sheets and two new shifts forthwith.

At a meeting of the Selectmen of Watertown May the 20th 1709: Ordered that the town clerk do give an order to the town treasurer to provide for Ruth Bloyce two shifts of cotton and linen cloth also two sheets of tow cloth: and two yards of cotton and linen cloth of one yard wide to mend said Bloyce's bed withall.

At a meeting of the Selectmen of Watertown December the 21st 1711: The Selectmen being informed by William Godden that Ruth Bloyce lay dead at their house: the Selectmen considering that said Bloyce had of late been the

towns care, it is ordered that the town treasurer do provide four gallons of wine also sugar and spice: that so said Bloyce may have a decent funeral at the towns cost and charge.

4. SHUBALL CHILDS⁵

At a meeting of the Selectmen the 12 day of January 1693/4: At the same meeting there was 5 shilling laid out for the release of Shuball Childs of the money received for the use of the poor.

At a meeting of the Selectmen the 19 of January 1693/4: Agreed that Simon Stone and Nathaniel Barsham shall go down to Charlestown to present to the quarter sessions then sitting at Charlestown the condition of Shuball Childs who is frozen in his feet and liable to perish unless there be speedy care taken of him: that the honored court abovesaid may determine by whom the charges shall be borne.

At a meeting of the Selectmen the 9th of February 1693/4: 6 shillings of the money received for the use of the poor for some relief for Shuball Childs.

At a meeting of the Selectmen the 3d of April 1694: Then the Selectmen agreed with Lieut. Nathan Fisk that he take Shuball Childs to look after him now in his lameness and to allow him said Childs suitable provision and tendance and said Fisk for his care and trouble in looking after said Childs shall be allowed seven shillings per week in or as many until he be otherways cared for or disposed of.

April 24, 1694, at a meeting of the Selectmen: Also said Fisk acknowledged the receipt of a parcel of pork in part for keeping Shuball Childs which was valued at eight shillings.

At a meeting of the Selectmen of Watertown July 10th 1694: Order at same meeting that Isaac Mixer Senior Ensign John Morse and Ensign Thomas Hammond take special care to file an information in the Superior Court in behalf of Shuball Childs who was frozen in the County Prison that he may be relieved and the town secured from the charge either by the county or sheriff or prison keeper: and Mr. Simon Stone and Sergeant Samuel Jennison are desired to assist in that affair.

At a meeting of the Selectmen August 6th 1694: Also at the same meeting Thomas Fleg with his wife came and brought a child said by them to be Shuball Childs child, and they would not keep said child without allowance from the town. The Selectmen then agreed that if there were not satisfaction already given, and reason could be given why the relations of said child should not pay the charge and maintain said child then the Selectmen would (in the towns behalf) give order for the necessary disbursements thereon except the town could free themselves from the charge by some other means.

October 4, 1694, at a meeting of the Selectmen of Watertown: Upon complaint of Thomas Fleg Junior made to the Selectmen about a poor child left in his hands

⁵ *Ibid.*, II, 64, 66, 70, 72, 76, 77, 83, 87, 88, 120, 126, 128, 143-44, 149-50, 152-53, 165, 166, 192, 216, 254-55.

by Shuball Childs, he being a cripple, the Selectmen appointed Isaac Mixer Senior Ensign John Morse and Ebenezer Prout to appear at the sessions of their majesties Justices at Charlestown to be held on the ninth of October instant for their majesties service by special appointment to sue for relief that the said town may not be charged with said child when there is relations so near as by law ought to be at the charge there of as in page 42 or by any other law or reason proper to said case, and that said Fleg be notified by Ensign John Morse to attend the said sessions.

January 14th 1694/5 at a meeting of the Selectmen at the house of Ensign Hammond: And to David Church to buy a shirt for Shuball Childs the sum of 7s. 6d. money.

At a meeting of the Selectmen of Watertown January 23d 1694/5: To three days attending the quarter sessions upon complaint of Thomas Coolidge and entering against Henry Reiners being an inhabitant as also about a child in Thomas Fleg keeping with one shilling for the entry 8s. 6d.

December 17th 1698: The Selectmen agreed with Benjamin Fleg to keep his brother in law Shuball Childs until the last day of March next and the town to pay the above said Fleg twenty shillings for his entertaining said Shuball Childs.

At a general town meeting legally warned and met together the 15 of August 1699: Voted that David Fisk for himself and son two days to provide a place to secure Shuball Childs shall be paid out of the last town rate 10s. and to Captain Barsham for procuring a place to secure John Baken 10s. both distracted men.

July 31, 1699: The Selectmen agreed with Edward Gearfield to take care of Shuball Childs a distracted person until the Selectmen or the town doth order it otherwise the said Edward Gearfield to be paid by the town for his pains care and cost: that he shall necessarily expend on said Childs: his time to begin the first of August next, 1699.

At a meeting of the Selectmen the 16th of March, 1701/2: The Selectmen agreed with Jonathan Whitney to keep Shuball Childs until the first day of March next for five pounds per year and said Jonathan Whitney is to maintain said Childs with sufficient meat drink washing and lodging: and to maintain said Shuball Childs with as good clothing both woollen and linen: in all respects as he had when he came first to said Whitneys: provided said Childs continue in his ordinary health and reason and be not disorderly in his carriage to said Whitney nor to said Whitneys wife.

At a general town meeting orderly warned and meet together the 8th day of March 1702/3: Voted at said meeting that John Train shall keep Shuball Childs the year ensuing on the same terms that Jonathan Whitney did keep him the last year and said Train is to fetch the little house that is at Jonathan Whitneys to keep said Childs in if he be distracted: at said Trains own cost: the said John Train agreed to said vote and took charge of said Childs for the ensuing at said meeting:

At a general town meeting the sixth day of March 1703/4 orderly warned and meet together: Voted at the above said meeting, that John Train shall keep Shuball Childs the year ensuing on the same terms that he kept him the last year and Train complied with said vote.

At a general town meeting of the inhabitants of Watertown legally warned and meet the 4th of March 1705/6: Voted that the Selectmen are desired and empowered to take care for the well settlement of Shuball Childs as they may think most convenient.

At a meeting of the Selectmen of Watertown the 15th of March 1705/6: Mr. John Ward of Newtown came to the said Selectmen to agree with them about his keeping Shuball Childs of Watertown for one year or less time on the terms following: that is to say that the above said Mr. John Ward is to keep the said Shuball Childs with sufficient meat drink washing and lodging all the time that the said Ward shall keep said Childs: and to keep and return said Childs with as good clothing in all respects as he had when he came to said Ward and to give him further encouragement if said Ward thinks he deserves it: and if said Childs be visited with sickness or distraction then the said Ward is to acquaint the Selectmen with his illness: and said Selectmen will take care of said Childs as of one of their inhabitants.

At a meeting of the Selectmen of Watertown December the 30, 1709: Ordered that Shuball Childs shall have a bed blanket provided at the towns cost.

At a meeting of the Selectmen of Watertown September the 23d 1713: The Selectmen having formerly ordered that Shuball Childs should have a bed blanket at the towns charge in his needy condition which blanket said Childs hath not had but hath had iron tools of Daniel Harrington to the value of fourteen shillings which he said Childs doth accept of in the lieu of a bed blanket (and at his request) the Selectmen do order that the Town Treasurer do pay to Daniel Harrington the sum of fourteen shillings for the above said iron tools.

At a meeting of the Selectmen of Watertown the 16th of June, 1718: Ordered at said meeting that we do desire and empower Lieut. Samuel Livermore and Lieut. Richard Coolidge, two of the Selectmen of said town, to go to the clerk of the county to take of a copy of the said Selectmens warning Shuball Childs out of Watertown, and also a copy of the entering the caution with the sessions of the peace for said county, and to procure a warrant from a justice of the peace, to move said Childs out of Watertown.

5. NICHOLAS WYETH⁶

December 2, 1712, at a general town meeting of the inhabitants of Watertown: Nicholas Wyeth was by vote of said town allowed an inhabitant thereof.

⁶ *Ibid.*, pp. 208, 212, 216, 217, 220, 222, 223, 227, 231, 238, 248-49, 261, 263, 266, 273, 276, 302, 321, 332, 336, 346; *Watertown Records Comprising the Fourth Book of Town Proceedings*, III, 11, 28, 30, 34, 39, 41, 44, 47, 50, 66, 68, 81, 96, 99, 101, 115, 116, 129, 132, 133, 135, 144, 146, 148, 152.

At a meeting of the Selectmen of Watertown March the 23d, 1712/13: Ordered at said meeting that the Town Treasurer do provide for Nicholas Wyeth three bushels of Indian corn for their relief in their necessitous condition; and Doctor Phillip Shattuck to inspect said Nicholas Wyeth and his wife that they do not idle away and misspend their time but that they follow some honest employ according to their ability towards their relief and support and to inform the Selectmen how they improve their time that care may be taken of them accordingly.

At a meeting of the Selectmen of Watertown September the 23d 1713: Ordered at the above said meeting that the Town Treasurer do pay to Mr. John Abbot the sum of 4 shillings and 6 pence for a bushel of meal for Nicholas Wyeth in his needy condition.

At a meeting of the Selectmen of Watertown December the 11th 1713: Considering the needy condition of Nicholas Wyeth and his wife in this winter season they not being capable to provide for themselves sufficiently in this time of scarcity: it is ordered that the Town Treasurer do at the towns cost and charge: provide for them a peck of corn a week during the winter season or until the Selectmen shall order other ways and it is further ordered that Doctor Shattuck who is one of said Selectmen do provide suitable work for them (if need be) and it is esteemed by the Selectmen that with their own labor and such an allowance they may be comfortably provided for and subsisted.

At a meeting of the Selectmen of Watertown the 11th day of March, 1713/14: Ordered that we do desire Deacon Jonathan Sanderson, Mr. Samuel Biglow and Ensign Samuel Harrington, three of the said Selectmen, to endeavor to agree with John Fleg or some other person for houseroom and firewood, for Nicholas Wyeth and his wife, for the year ensuing, as reasonable as they can, and what they shall do about said matter in their prudence shall be held good and to make return of their doings at the next Selectmens meeting.

At a meeting of the Selectmen of Watertown the 8th day of April, 1714: Ordered at said meeting that Deacon Jonathan Sanderson and Mr. Samuel Biglow, two of the said Selectmen, do take care that Nicholas Wyeth and his wife have work provided for them to do and also to see that they be diligently kept to it according to their abilities.

At a meeting of the Selectmen of Watertown the 18th day of July, 1714: Ordered that the Town Treasurer do pay to Deacon Jonathan Sanderson the sum of six shillings and to Mr. Samuel Biglow nine shillings, for corn they provided for Nicholas Wyeth and his wife.

At a meeting of the Selectmen of Watertown the 13th of December, 1714: Ordered, that Joshua Eaton take care and provide for Nicholas Wyeth, such things as may be necessary for him, in his present weak condition, which we are informed he is at present under, by reason of sickness, and to be allowed reasonable satisfaction out of the present town rate committed to him to collect, and to bring in his account to the Selectmen.

At a meeting of the Selectmen of Watertown April the 4th, 1715: The year being expired that John Fleg was obliged to find houseroom and firewood for Nicholas Wyeth and being informed that John Cutting will let the same to the town that said Wyeth hath dwelt in the year past. It is therefore ordered by the Selectmen that John Cutting shall be paid by the town in proportionable terms as John Fleg was the last year he finding him such houseroom and so much firewood as he was allowed by the town the year past. Ordered that the Town Treasurer do provide a bushel of corn for Nicholas Wyeth at the towns cost.

At a meeting of the Selectmen of Watertown March the 20th, 1715/16: Ordered that Mr. Samuel Biglow and Mr. Edward Harrington do bargain with John Cutting to entertain Nicholas Wyeth and his wife for one year more with houseroom and four cord of firewood upon as reasonable terms as may be and inform the Selectmen of their proceedings at their next meeting.

At a meeting of the Selectmen of Watertown November the 27, 1716: Due to Thomas Hammond for three bushels of corn for Nicholas Wyeth 9s. To Deacon Sanderson for a bushel of barley to Nicholas Wyeth 4s. 6d. To Nathaniel Livermore for 4 bushels of corn for Nicholas Wyeth 12s. To John Cutting for houseroom and firewood for Nicholas Wyeth one year 3£ 10s.

At a meeting of the Selectmen of Watertown the 6th of April, 1719: Ordered, that the Town Treasurer pay to Lieut. Richard Coolidge five shillings for a bushel of Indian corn for Nicholas Wyeth.

At a meeting of the Selectmen of Watertown August 17th, 1719: Ordered, that Deacon Thomas Livermore, Jonathan Sanderson and John Cutting do care of Nicholas Wyeth, under his sickness and to be answered for by the town.

At a meeting of the Selectmen of Watertown the 22d day of February, 1719/20: Ordered that the Town Treasurer order the constable or constables to pay thirteen shillings to Doctor Urian Angier for visits and medicine for Nicholas Wyeth.

At a meeting of the Selectmen of Watertown, June 6, 1720: Ordered, that Deacon Thomas Livermore be paid seven shillings out of the present town rate for two bushels of corn for Nicholas Wyeth.

Ordered that Corporal Jonas Bond be paid three shillings and six pence for one bushel of Indian corn to Nicholas Wyeth out of this present town rate.

At a meeting of the Selectmen of Watertown, 23d of December, 1720: Ordered that the Town Clerk give an order to Town Treasurer to pay to Doctor Angier thirteen shillings for physic for Nicholas Wyeth in the time of his sickness.

April 15, 1723. At a meeting of the Selectmen of Watertown: At said meeting the Selectmen appointed Captain Samuel Harrington and Mr. John Cutting two of the Selectmen, to take care that the Widow Wyeth under her present helpless condition be suitably taken care for, and the charges arising thereby, to be answered for by the town.

At a meeting of the Selectmen of Watertown March the 12th, 1724/5: Agreed to desire Deacon Livermore to look out for a place to keep the Widow Wyeth at the towns charge on as easy terms as he can.

May 2, 1726, at a meeting of the Selectmen of Watertown: At said meeting the Selectmen appointed Lieut. Samuel Stearns to take care that George Lawrence Junior be desired to take the Widow Wyeth (with what goods she has) into his family and to provide suitably for her sustenance, and he to be reasonably satisfied therefor. And if said Lawrence see cause to take her into his family the Selectmen appoint Mr. Stearns to take an account of the goods which belongs to her.

At a meeting of the Selectmen of Watertown on January the 11th, 1726/7 for the taking the Town Creditors accounts: At said meeting the Selectmen agreed with Mr. George Lawrence Junior to keep and provide for the Widow Wyeth a year from the 10th day of January current after the rate of eleven pounds per year. And to have reasonable allowance beside if extraordinary should happen.

At a meeting of the Selectmen of Watertown on the first day of December 1727 for taking in the town creditors accounts: which are as followeth: To George Lawrence Junior the sum of £11-10-. And he to keep the Widow Wyeth a year after the rate of £11-10- per year, and the year to begin the 10th day of January next.

At said meeting the Selectmen agreed with George Lawrence Junior to keep the Widow Wyeth a year after the rate of £11-10- per year; the year to begin the 10th day of January next and he to find her shoes.

At a meeting of the Selectmen of Watertown at the house of Mr. Thomas Coolidge on the 20th day of December, 1728: To George Lawrence Junior for extraordinary charges for the Widow Wyeth 13s.

At a meeting of the Selectmen of Watertown on the first day of December, 1729, at Mr. Thomas Learned's for taking in the Town Creditors Accounts: For the support of the Widow Wyeth one year forward from 10 January next £11 10s. and to procure cloth for two shifts £1 6s.: £12 16s.

At a general town meeting of the freeholders and other inhabitants of Watertown on the twenty second day of December 1729. By adjournment: A list of the town creditors accounts with what was proposed for the support of Ephraim Smith and the Widow Wyeth was again laid before the town and read.

At a meeting of the Selectmen of Watertown at the house of Cornet Henry Bright on the 16th day of February 1729/30: At the above said meeting the Selectmen ordered the Town Treasurer to pay or order to be paid to Mr. George Lawrence Junior the sum of eleven pounds ten shillings which was granted at said meeting for the Widow Wyeth.

At a meeting of the Selectmen of Watertown the 8th day of June 1730: At said meeting the Selectmen agreed that there be a gown provided for the Widow Wyeth at the towns charge of linen and wool or cotton and wool and order the Town Treasurer to procure the same.

At a meeting of the Selectmen on the 2nd day of November 1730: Ordered that Mr. John Stearns deliver the old hearse cloth that belongs to the town to Mr. George Lawrence to be improved for clothing for the Widow Wyeth.

At a general town meeting of the freeholders and other inhabitants of Watertown regularly warned and assembled on the 4th day of December 1730 for the ends set

forth in the warning: Voted and granted the sum of ten pounds for the support of the Widow Wyeth for one year, the year to begin the 10th of January next.

At a meeting of the Selectmen of Watertown at Mr. Thomas Straighes on the 22d day of December, 1730: At said meeting the Selectmen ordered the Town Treasurer to pay to Mr. George Lawrence the sum of twenty four shillings, out of the use money that was paid into the Treasury by the trustees of said town. To be improved by the said Lawrence to procure a gown for the Widow Wyeth.

At a meeting of the Selectmen at Mr. Jonas Bonds on the 15th day of January 1730/1: At said meeting the Selectmen agreed with Mr. George Lawrence Junior to keep the Widow Wyeth after the rate of eleven pounds per year, so far as the money granted by the town (for her) the fourth day of December last past shall go. And if extraordinary charge shall happen through sickness or otherwise to be reasonably satisfied therefore by the town.

At a general town meeting of the freeholders and other inhabitants of Watertown regularly warned, and assembled on the 6th day of December 1731: Voted and granted for the support of Widow Wyeth one year £11 10s.

At a meeting of the Selectmen of Watertown at Lieut. Samuel Stearns on the 11th day of February 1731/2: Ordered the Treasurer to pay to George Lawrence Junior the sum of ten pounds for his keeping of the Widow Wyeth from the tenth of January, 1730 to the fourth of December, 1731.

At a meeting of the Selectmen at Mrs. Learneds on the 22d day of December to take in the Town Creditors Accounts in order to pay them before the Town at the next meeting: At said meeting ordered the Treasurer to pay to George Lawrence Junior the sum of eleven pounds ten shillings for his keeping the Widow Wyeth to the fourth of this instant, it being the grant made for her support the last year.

At a meeting of the Selectmen of Watertown the sixteenth day of November, 1733: At said meeting ordered the Town Treasurer to pay to Mr. George Lawrence Junior the sum of eleven pounds ten shillings for his keeping the Widow Wyeth one year the year ending the 4th of December next. So much being granted last December for the support of said widow one year.

At a general town meeting of the freeholders and other inhabitants of Watertown regularly warned, and assembled on the third day of December, 1733, for the ends set forth in the warning: Voted and granted the sum of twelve pounds for the support of the Widow Wyeth one year.

At a meeting of the Selectmen at Mr. Thomas Coolidges on the 11th day of February, 1733: Ordered the Treasurer to pay out the remainder of the money granted for the support of Ephraim Smith [who had died] to Deacon William Brown so much as will procure two shifts for the Widow Wyeth.

At a general town meeting of the freeholders and other inhabitants of Watertown regularly assembled on the tenth day of December, 1734: Voted and granted the sum of twelve pounds to support the Widow Wyeth for the year ensuing the year beginning the 3d of this instant.

At a meeting of the Selectmen at Deacon William Browns on the 3d day of Feb-

ruary, 1734: the Selectmen desired Mr. George Lawrence Junior to make the Widow Wyeth a pair of shoes.

At a meeting of the Selectmen of Watertown the 30th day of June, 1735: At said meeting the Selectmen desired Mr. John Smith, one of the Selectmen to procure what clothing the Widow Wyeth is in present necessity of at present and bring in his account to the Selectmen in order to be adjusted.

At a meeting of the Selectmen of Watertown on the 17th day of November, 1735: At said meeting the Selectmen ordered the Clerk to give an order to the Treasurer to pay the sum of £1 15s. (which he hath already received of Nathaniel Harris Esq., as fines for the use of the poor of the town) to Mr. John Smith one of the Selectmen in part of £2 6s. 3d. which he hath laid out for clothing for the widow Wyeth.

At a general town meeting of the freeholders and inhabitants of Watertown lawfully warned and met together on the first day of December 1735: To Mr. George Lawrence Junior for making of two pair of shoes for the Widow Wyeth 18s.

To Mr. John Smith for money laid out for clothing for the Widow Wyeth 11s. 3d.

Voted and granted to support the Widow Wyeth the ensuing year £12 10s.

At a meeting of the Selectmen of Watertown on the 15th day of October 1736: At said meeting the Selectmen ordered the Treasurer to pay Mr. Joseph Priest the sum of twelve pounds and ten shillings which was granted to support the Widow Wyeth this present year for his supporting the said Widow Wyeth this present year etc.

At a general town meeting of the freeholders and inhabitants of Watertown lawfully warned and met together on the 29th day of November, 1736: To Doctor Josiah Convers for medicine and attendance on the Widow Wyeth when sick at Mr. Joseph Priests in May 1736 £1 1s.

Voted and granted the sum of twelve pounds and ten shillings to support the Widow Wyeth the ensuing year.

At a meeting of the Selectmen of Watertown on the 6th day of December 1736: The Selectmen ordered the Treasurer to pay Mr. Joseph Priest the sum of one pound fifteen shillings out of the money appropriated to the support of the poor of said town for him to provide two shift cloths for the Widow Wyeth.

At a meeting of the Selectmen of Watertown on the 21 day of February 1736/7: The Selectmen ordered the Treasurer to pay to Mr. Joseph Priest the sum of twelve pounds and ten shillings for keeping the Widow Wyeth this present year, as it becomes due.

6. APPHIA FREEMAN⁷

At a meeting of the Selectmen of Watertown February the 22d 1713/14: There being one Apphia Freeman a poor woman come from Cambridge to sojourn in Watertown who is taken sick of the meazels, and therefore charity is to be ex-

⁷ *Ibid.*, II, 219, 220, 221, 223, 225, 226, 227, 232, 237, 238, 240, 248, 253, 257, 259, 267, 278, 285, 302, 303, 304.

tended towards her in her sick condition: she being at the house of John Barnard Junior it is therefore ordered by the Selectmen that John Barnard shall be paid for entertainment nursing and provision for said Apphia Freeman out of the present town rate to reasonable satisfaction: until further order be taken by the Selectmen or she be conveyed to Cambridge from whence she came according as the law directs in such cases.

At a meeting of the Selectmen of Watertown the 17th day of March, 1713/14: Ordered, that the Town Treasurer do give an assignment to Mr. Joshua Eaton Constable to pay to John Barnard Junior out of the town rate committed to him to collect, the sum of one pound and six shillings for his entertainment and nursing of Apphia Freeman three weeks when she lay sick of the meazels.

At a meeting of the Selectmen of Watertown the 25th day of March, 1714: Ordered that Apphia Freeman go forthwith and live with Mr. Oliver Wellington, and there to follow her work, and what she cannot earn the town to allow reasonable satisfaction for her board.

At a meeting of the Selectmen of Watertown the first day of June, 1714: Ordered at the said meeting that we do desire Mr. Samuel Livermore and Mr. Nathan Fisk two of the Selectmen, to prosecute the petition referring to Apphia Freeman, which now lieth before the sessions, and to be done at the towns cost.

At a meeting of the Selectmen of Watertown the 4th of December, 1714: Ordered that the Town Treasurer pay to Cornet Samuel Livermore out of the towns money in the Treasury the sum of 03£—13s. To Ensign Nathan Fisk 02£—03s.—02d. and to Deacon Jonathan Sanderson 10s for money which they laid out at the courts about trying to clear the town of Apphia Freeman.

At a General Town meeting of the Inhabitants of Watertown orderly warned and meet the 7th day of December, 1714: Voted that we do desire the Selectmen to take what further steps in the law as they may think most proper, to ease the town of the charge they are at about one Apphia Freeman.

Watertown December 7th 1714: The Selectmen of said town do offer to the town now meet together on account of the great and extraordinary cost and charge that we have been at in the town's behalf with one Apphia Freeman, who came to dwell or sojourn in said town, and fell sick soon after her coming in, and was a considerable charge. And we being sensible that it was our duty and for the town's interest that all proper methods should be taken to free the town of one that was then chargeable and like to be a further trouble, and accordingly we did apply ourselves to the law, and attended the proper steps thereof to convey said Freeman out of town, and since that there hath been two trials in the law to keep said Freeman out of town, which first judgment was rendered for the Selectmen of our town, and she fixed upon Cambridge. From which judgment the Selectmen of Cambridge appealed to the Superior Court, and judgment and cost of court was rendered for Cambridge, which judgment yet remains unsatisfied, and so that without allowing anything for our time the charge doth amount to the sum of eight pounds eight shillings and eight pence, and the Selectmen desire to know the towns mind further about said matter.

At a meeting of the Selectmen of Watertown the 13th of December, 1714: Ordered, in pursuance to a vote of the town the 7th of December 1714, that the Selectmen do use the best means in their discretion, to the easing of the town referring to Apphia Freeman, which matter the town are at present uneasy by reason of the judgment of the Superior Court, last past which person the town doth not esteem to be a legal inhabitant in our town.

Ordered, that we do desire, Lieut. Samuel Stearns, Cornet Samuel Livermore and Ensign Nathan Fisk, three of the Selectmen, that they prosecute said affair at the towns cost, and that they be paid out of the Towns Treasury.

Ordered, that the Town Treasurer do support the gentlemen chosen and appointed by the Selectmen to prosecute the matter referring to Apphia Freeman being a charge to the town, to the value of 02£—10s. out of the Towns Treasury.

At a meeting of the Selectmen of Watertown April the 4th 1715: At the above said meeting Apphia Freeman complaining that through infirmity she is not able to support herself Ordered that the Town Treasurer do disburse to said Freeman out of the Town Treasury the sum of twenty shillings: in case she do provide for herself for the term of half a year and be no more troublesome to the Selectmen nor town for any more maintenance within said time; and the money to be paid monthly.

At a meeting of the Selectmen of Watertown December 23d 1715: At the above said meeting the Selectmen desired Deacon Jonathan Sanderson to entertain Apphia Freeman for the term of one month and to employ her and keep her to work so that she may not idle away and misspend her time and the town to pay him for what charge he is at over and above her earnings the sum of eight shillings.

At a meeting of the Selectmen of Watertown February the 20th 1715/16: Ordered at the above said meeting that the Town Treasurer do assign Constable Zechariah Cutting to pay to Deacon Jonathan Sanderson one pound and ten shillings for supporting of Apphia Freeman for ten weeks and the ten weeks to end the first Monday of March next ensuing.

At a meeting of the Selectmen of Watertown March the 9th 1715/16: Ordered that the Town Treasurer do assign Constable Joseph Patterson to pay to John Barnard the sum of eight shillings in full for his entertaining of Apphia Freeman with diet and lodging fourteen days in the winter past.

Ordered at said meeting that Deacon Jonathan Sanderson do provide some convenient place where Apphia Freeman may be entertained upon as reasonable terms as may be until the Selectmen take further order about her.

At a meeting of the Selectmen of Watertown August the 10th 1716: Ordered at the above said meeting that the Town Treasurer do disburse out of the Treasury to Apphia Freeman the sum of ten shillings to relieve her in her present needy condition.

At a meeting of the Selectmen of Watertown November the 27, 1716: Deacon Sanderson for entertaining Apphia Freeman ten weeks 30s.

At a meeting of the Selectmen March 3d, 1717/8: An agreement was made with John Barnard to take Apphia Freeman into his family and to find her comfortable houserom and firewood for one year, and to receive for his reward the sum of four pounds of the towns: Provided it be not paid any other way, the whole or any part of it. And in case her Brother Freeman, or any other person shall allow anything for her support as to houserom and firing, said Barnard to give a true account of it, the year to begin the first of February last past.

At a meeting of the Selectmen of Watertown December the 12th, 1718: Ordered, that the Town Treasurer pay to John Barnard two pounds out of the last town rate, being in part of pay for said Barnards entertaining of Apphia Freeman.

Dated the 17th of February, 1718/9: By Order of the Selectmen Munnings Sawin Town Clerk. At said meeting agreed with John Barnard to keep Apphia Freeman for the year ensuing on the same terms he kept her the last year in all respects.

Ordered, at said meeting that the Town Treasurer do pay to John Barnard for keeping said Freeman, forty shillings, which forty shillings with what hath been paid him is in full of his due for his first years keeping her said Freeman.

At a meeting of the Selectmen of Watertown March 25th 1720: An agreement was made with John Barnard Senior to take care of Apphia Freeman for houserom and firing as was formerly agreed upon for the year current, and to be allowed four pounds as formerly.

At a meeting of the Selectmen of Watertown the 28th of March, 1721: Agree with John Barnard to keep Apphia Freeman for the year now begun the first day of February last past, upon the same respects he hath kept her for four pounds per year.

Ordered, that the Town Clerk write an order to the Town Treasurer to provide two shifts, of cotton or cotton and linen for Apphia Freeman forthwith.

At a meeting of the Selectmen of Watertown the 12th day of February, 1721/2: At said meeting agreed with John Barnard to keep Apphia Freeman until the next town meeting upon the same terms he kept her last.

April 15, 1723. At a meeting of the Selectmen of Watertown: At said meeting the Selectmen appointed Mr. Nathaniel Bright and Lieut. Richard Coolidge two of the Selectmen, to desire Mr. Barnard to take suitable care of Apphia Freeman according to their direction, and the charges arising thereby to be answered by the town.

At a meeting of the Selectmen of Watertown May the 31, 1723: Occasioned by the death of Apphia Freeman (a person who in her life time was taken care of by the town) in order to take some care for her funeral. The Selectmen desired Lieut. Richard Coolidge to provide a coffin, the Selectmen desired Mr. John

Cutting to take care there be a grave dug. The Selectmen also desired Deacon Nathan Fisk to provide six quarts of rum (at Mr. Learneds) for the funeral.

At a meeting of the Selectmen Watertown November the 4th, 1723: Ordered that the Town Clerk give an order to Mr. Nathaniel Bright and Lieut. Richard Coolidge as followeth:

TO MR. NATHANIEL BRIGHT AND LIEUT. RICHARD COOLIDGE.

You are hereby desired and ordered to take an account of the clothes etc. belonging to Apphia Freeman deceased, left at Mr. John Barnards where she lived and what you think of the same is fit suitable and servicable for Ephraim Smith a poor man. You are desired and ordered to deliver the same to Mr. George Lawrence to be improved for the comfort of the said Ephraim Smith, and make report of your doings herein to the Selectmen at the next meeting.

UNIVERSITY OF CHICAGO

"PAUPER IDIOTS AND LUNATICS" IN KENTUCKY

E. M. SUNLEY

FOR one hundred and forty-five years the destitute mental defectives and mentally ill in Kentucky, referred to in the statutes as "idiots" and "lunatics," have received "allowances" from public funds for their care. During the twelve months ending July 1, 1938, 1,631 idiots received a total of \$120,276.18 from the state and county funds. Ten years ago, in 1928, the total cost for the care of 985 idiots was \$74,462.24, so that during the past decade the number of pauper idiots has increased 66 per cent and their cost of care has increased 61 per cent.¹

Shortly after the state of Kentucky was admitted to the Union on June 1, 1792, provision was made for the care of persons of unsound mind. The attorney-general or an attorney for the state or county could make application to any court of law for the appointment of a committee for these persons. If there were no estate from which these persons could be supported, the court could make an order for a just and reasonable sum for their maintenance. These funds were paid out of the state treasury.

After 1852, when the legislature abolished the lunatic allowances, except for the act of 1872, the grants were limited primarily to the care of idiots. Actually, however, the legislature made exceptions in many cases; and since neither psychiatric examinations nor psychometric tests were used to determine idiocy, there was no way of knowing whether or not the beneficiaries were idiots. Prior to May 1, 1824, when the Eastern Lunatic Asylum was opened, there were no state institutional facilities for the care of the insane; consequently, there was great use of the allowances for the care of all types of mental defectives.²

¹ Data obtained from a letter received from Aaron Paul, social statistician, Department of Welfare, January 13, 1939.

² Henry M. Hurd and Others, *The Institutional Care of the Insane in the United States and Canada* (1916), II, 457.

Funeral allowances not to exceed \$10 were provided in 1804 for the destitute idiots and lunatics who were under the care of a committee; and several years later, in 1822, the circuit courts were vested with the authority to appoint the committees and grant the allowances. In 1825 the legislature made it clear that the allowances were not to exceed \$50 a year.

A current belief throughout the first half of the nineteenth century was that many persons were receiving public support who were not idiots. To correct the problem an act of 1831 empowered the circuit courts to issue writs commanding the sheriff to summon twelve housekeepers of the county to determine whether or not a person was of unsound mind and whether the insanity had been present from birth or had developed after birth. Allowances were to be granted to those who were completely destitute. If the earnings from the estates of the pauper idiots or lunatics were not adequate, then the courts could order the committees to sell parts of the personal estate or slaves. Except in those cases of lunatics with families, the courts could also order the sale of real estate. Each clerk of the circuit court was to keep a list of the names of the idiots and lunatics, together with the names of their committees. During the same year, in 1831, the legislature provided that no idiocy or lunacy inquest could be held unless the person appeared in court after having been given ten days' notice; and for the first time the courts were empowered to appoint a fit person to see that they were not improperly condemned. Since the Eastern Lunatic Asylum had been opened at Lexington in 1824, the courts could commit to that institution, if the patients were dangerous. The estates of those sent to the institution were to be used for their support.

The old Elizabethan poor law provision for family responsibility was applied to the pauper idiot and lunatic allowances in 1840. Henceforth, the beneficiaries of allowances not only had to have inadequate estates but also their parent or parents had to have insufficient estates. This action is most interesting, as family responsibility for poor relief in Kentucky was not introduced until 1906. It was also significant that after June 1, 1840, all the hearings were to be made in open court unless the idiots or lunatics could not appear because of their health or problems of control.

By 1846 we begin to see the emergence of an examining process which resembled that of a more recent period. The personal appearance of an idiot before the court, as provided by the act of 1831, was not to be dispensed with unless two practicing physicians could prove in court, or by affidavits produced in court, that they had made an examination and found the person to be an idiot. If the examinations were not made by the physicians, and in many instances there were not that many physicians in a county, the examinations were to proceed in open court. The great difficulty of this act and of all subsequent acts was that little was to be gained by having the patients examined by general medical practitioners.

If, after July 1, 1846, the idiots were able to work, an allowance was not to be granted. If they were able to do part-time work, then the value of this labor was to be estimated by the judge and jury and deducted from the allowance. New examinations were to be made in 1850 and every fifth year thereafter. It was also the responsibility of the judge and jury to refuse the allowances if the idiots had been brought into the Commonwealth for their support and maintenance.

These developments were followed by the establishment, in 1850, of a more flexible court procedure. Henceforth, if the circuit courts were not in session, the police judge of a town or city, or a justice of the peace, might summon a jury and proceed with the hearing, provided a complaint had been made that a patient was "dangerous or ungovernable" or was wasting his estate.

After 1850, when the third state constitution was adopted and the statutes were subsequently revised, all allowances from the state treasury for the care of destitute lunatics were to be abolished.³ However, in spite of the fact that the care of idiots and lunatics was

³ The act of 1852 was similar to the preceding acts with reference to the appointment of committees, the power of the courts to dispose of real estate, trials by jury, funeral allowances, family responsibility, appointment of counsel, examination by the physicians, re-examinations every fifth year, and the annual enumeration of the pauper idiots in each county. Under this new act, if the circuit courts were not in session, the inquests could be held by a judge or counselor, by the judge of a city court, or by a police judge. Penalties were now provided for those who brought pauper idiots or lunatics into a city or county with the intent of making them public charges. Such persons could be fined not more than one hundred dollars, imprisoned for not more than three months, and be liable for the transportation costs (see *Acts of Kentucky* [January 7, 1852], c. 358, LXIV, art. ii, secs. 13-14, 22).

vested in the courts, the members of the legislature, throughout the nineteenth century, handled scores of cases outside the courts. In many instances the legislative action seemed to be necessary in order to correct defects of the pauper law. The action was taken to make grants for those who were otherwise ineligible, to request the circuit courts to act in specific cases, to make grants for previous periods of care which the courts could not do, to use state funds to keep lunatics out of the asylum, or to make grants in those cases where the circuit courts had not met or where the grants had terminated without a new inquest being held. For example:

Polly T——, of Pendleton County, had no living parents and was unable to support herself. She was an idiot who was cared for by Paul B——, who had not been compensated, as Polly T——'s parents were not alive to claim aid under the pauper-idiot law. To remedy the situation the legislature, in 1825, extended the benefit of the law to Paul B——.

Mrs. Diana M——, of Floyd County, had an idiot son. She was a widow without any property and had asked the state for assistance. The legislature granted the idiot son, Anthony H. M——, an annual allowance of \$50 beginning December 1, 1845. However, the payments were not to continue unless the Floyd Circuit Court at its next sitting found him to be an idiot, and that he and his mother were destitute of any estate for his support. If he were an idiot, a committee was to be appointed, and his condition certified to the second auditor.

David G—— was found to be a lunatic by the Lawrence County Circuit Court in 1840. Sally G——, his mother, was old and poor but did not want to send him to the insane asylum, so that the legislature, in 1846, granted her an allowance of \$20 a year for his support beginning in 1843. The allowance was not to begin until proof of his being alive and a lunatic were offered by the clerk of the Lawrence Circuit Court. The future payments were also contingent upon the same proof.

Joel A. M—— was declared to be an idiot by the Adair Circuit Court and had been given an allowance of \$40 a year. The committee had been negligent, and M—— was not brought before the court in 1860, as required by law. Since he was poor and needy, the clerk of the Adair Circuit Court was empowered in 1862 to hold a hearing on M——, and if it appeared that he was still an idiot, and his committee had supported him since November, 1860, the clerk was to take proper action to reimburse the committee.

The county judge of Kenton County had directed Peter L—— to keep a pauper lunatic, Samuel H——, until he could be received in the asylum. The legislature, in 1863, granted L—— \$100 for the care of the lunatic.

The legislature, in 1867, gave \$187.50 to the clerk of Fleming County to re-

imburse the county court for the care of Abel H—, who had been confined for 250 days in the county jail. H— was a pauper lunatic too dangerous to be at large, and he could not be admitted to the asylum because there was no room.

William C—, in 1859, was adjudged to be an idiot. He had no estate other than an interest in a small tract of land which was sold by his committee, S. J. T—, for \$200. On August 1, 1868, another inquest was held when it was learned that the committee had been supporting the idiot for six years. In order to remedy the situation, the legislature, in 1869, granted S. J. T— \$150 for the care of the idiot prior to August 1, 1868.

Lewis S—, of Green County, was granted \$37.50 by the legislature, in 1878, for the care of Josephine W—, a pauper idiot. The period of care was for six months prior to July 1, 1877, when a new inquest was held.

During the period prior to and immediately following the Civil War there were few changes made in the pauper-idiot law, but in 1872 similar provision was made for the care of pauper lunatics because the asylums were overcrowded and the patients could not be admitted. The most unusual thing about this act was that the committees appointed by the circuit courts were to receive \$200 annually for the support of the lunatics, while the committees of pauper idiots received but \$50 a year. However, if no one would act as a committee, then the jailer of the county was to act in that capacity, and of course this led to disastrous results as many of the insane were given care in the county jails.

Since the allowances for pauper lunatics were considerably higher than for pauper idiots, it was not surprising that the legislature, in 1873, increased the annual allowance for pauper idiots from \$50 to \$75, which is the maximum allowance at the present time. Three years later, in 1876, provision was made for the first time for the care of idiots returned from the institutions. The president of the board of commissioners of each asylum, the superintendent, and a commissioner appointed by the board were to select the cases for return to the counties. The worst feature of this act was that the courts could provide for their care in the county poorhouses. The effect of this legislative action with reference to pauper idiots was similar to the act of 1872 with regard to the care of pauper lunatics in the jails; it led to the increased care of this group in the poorhouses.

Although the act of March 28, 1872, provided for an allowance of \$200 a year for the pauper lunatics, an act of 1880 established a maximum of \$75 for all pauper idiots, epileptics, and lunatics. Two years later, in 1882, only slight changes were made in the care of idiots, but no further allowances were to be granted if the beneficiaries were less than eight years of age or if only at times "enfeebled in mind by epileptic fits or other malady."

By the latter part of the nineteenth century students of these problems as well as some members of the legislature were concerned about the operation of the "allowance" system. The superintendent of the Institution for Training and Educating Feeble-minded Children at Frankfort said that the allowances gave custody only, without any provision for the education of the idiots.⁴ The members of the legislature were not interested in repealing the allowance system, since so many counties were receiving from \$3,000 to \$4,000 annually for the care of these patients. Another observer of the pauper-idiot law, in 1899, described it as the "worst which could be made." The law led to the increase of the feeble-minded—in one county a feeble-minded woman who was sent to the poorhouse had three illegitimate children.⁵

In order to meet some of these problems together with that of the increasing pauper-idiot costs, the legislature in 1890 provided that the annual allowances of \$75 were to be divided between the state and the counties; \$55 was to be paid by the state and \$20 by the county court of the county where the idiot resided. With the exception of some minor amendments in 1893, the legislature made no further changes in the provision for pauper idiots during the next twenty-eight years, or until 1918. In the meantime, individuals, the state public welfare authority, and the National Committee for Mental Hygiene continued to reveal the unbelievable conditions that resulted from the operation of the allowance system.

The Kentucky State Board of Control for Charitable Institutions, which was established in 1906, pointed out in its annual reports of 1909 and 1911 that the manner of holding the inquests should be improved. It was believed that one or two expert physicians should be

⁴ John Q. A. Stewart, *National Conference of Charities and Correction*, 1884, p. 367.

⁵ J. L. Lang, *ibid.*, 1899, p. 407.

present at all inquests and that they should be required to give the jury expert opinion under oath. Although this point was not recommended, it was pointed out that many states had abolished jury trials except when requested by the patient, his family, or a friend.⁶ In 1917 the survey staff of the National Committee for Mental Hygiene, which was responsible for the study made by a governor's commission appointed in 1916, visited eighty-two out of ninety-two pauper idiots in four counties and learned that only a small part of the allowance reached the beneficiaries. Some of the idiots were kept in the poorhouses; others were let out to the highest bidder. Some were kept in specially built outhouses, as if they were domestic animals. It was also indicated that the grants tended to keep the beneficiaries dependent; no training was given because the allowances might be discontinued, and in some cases the idiots were considered as economic assets.⁷ A student of this problem, in 1918, indicated other abuses of the pauper-idiot law. In addition to there being no accounting of the money, which resulted in the committees' keeping all or part of the allowances, the idiots were sometimes employed on the farm of the committee and earned the money over again as wages. A man in Bell County was committee for twelve out of fifty pauper idiots; a man in Clinton County had ten out of twenty-one cases; and, in Christian County, one man had seventeen cases. Partisan politics entered into the selection of the committees who planned to profit by the allowances. The Kentucky law was sometimes known as the "law for the propagation of idiots and imbeciles."⁸

The act of 1918 was one of far-reaching importance as it provided, among other things, for the termination of the pauper-idiot allowances. This was a comprehensive act concerning the care of the mentally defective and mentally ill, but attention will be called to only a few of its most important points. No changes were made with refer-

⁶ Kentucky State Board of Control for Charitable Institutions, *Third Biennial Report, 1907-1909*, pp. 18-19.

⁷ National Committee for Mental Hygiene, *Report of the Mental Hygiene Survey of Kentucky* (Frankfort, 1923), pp. 11-12. This report included a summary of the study which was made in 1917.

⁸ W. D. L., "Being a Pauper Idiot," *Survey*, XL (April 6, 1918), 11-12.

ence to the jurisdiction of the circuit and county courts, but for the first time the inquests might be held "in chambers." Jury trials were still available if requested by the feeble-minded (the term "feeble-minded" was used for the first time), epileptic, or insane person, by an interested party, or by the court on its own motion. Henceforth, the medical examiners were to be physicians who had made a special study of feeble-mindedness and mental disease, and they were to receive \$3.00 for each patient for their services.

The most important provision of this act was that before January 1, 1921, all pauper imbeciles and feeble-minded persons were to be committed to the state institutions if they were males between six and eighteen years of age or females less than forty-five years of age. No new allowances were to be granted unless there were no vacancies in the institutions. Under this act a pauper imbecile or feeble-minded person was one who had been found so by the court, who had no estate for his support, and whose parents, if alive, were not able to support him. If a married woman, it meant that her husband could not support her and that he was unable to work. An effort was made to correct some of the defects of the earlier acts by providing that new inquests for the feeble-minded who were supported out of their estates or by public funds were to be held every third year instead of every fifth year. No longer was it lawful to care for feeble-minded females less than forty-five years of age in a poorhouse, home, or institution for the poor, provided they could be accepted by a state institution.

It is difficult to believe that, in spite of the act of 1918 and in spite of the miserable conditions as revealed by further studies,⁹ the legislature in 1924 re-established the old system of pauper-idiot allowances. Henceforth, \$37.50 of the annual allowance of \$75 was to be paid by the state treasurer and \$37.50 by the fiscal court of the county holding the inquest.¹⁰ The same division of costs between the state and county governments still exists today. Although the act of

⁹ The first of these studies was requested by the legislature in 1922 and was made by the National Committee for Mental Hygiene (see *Report of the Mental Hygiene Survey of Kentucky* [1923]). Two years later, in 1924, a comprehensive study of the state government contained some specific recommendations with reference to the treatment of the idiots, the feeble-minded, and the insane (see Efficiency Commission of Kentucky, *Report of the Government of Kentucky* [1924], II, 97).

¹⁰ *Acts of Kentucky* (March 22, 1924), c. 17, sec. 1.

1918 called for new idiot inquests every three years, the act of 1924 provided for new inquests every fifth year if the idiots were maintained out of their estate or by public funds. "Lunatics" and persons of "unsound mind" were now defined to include those persons who because of a drug or narcotic had lost their power of reason or those whose power to reason had been so impaired that they were dangerous to themselves or to others.¹¹

Two years after the establishment of the present Department of Public Welfare in 1932, an extensive audit and survey was made of that authority by the same research organization which had been responsible for the survey of state government in 1924. This staff of experts suggested many changes for the better care of the insane and feeble-minded. Among these proposals were (1) habit-training clinics for children, (2) education of the public in the principles of mental hygiene, (3) development of plans for voluntary admissions to the state institutions, (4) outpatient clinics for diagnosis and aftercare, (5) a sterilization program, (6) use of psychiatrists by the courts holding inquests, (7) receiving units for observation and treatment, (8) improvement of the professional services in the institutions, (9) an extension of occupational therapy, (10) further development of laboratory facilities, (11) improvement of the supervision of paroled patients, and (12) further expansion of the social service staffs in the institutions.¹²

Although many improvements were suggested by the study in 1934, the number of pauper-idiot allowances and their costs have been increasing as a result of the 1924 act. Thus the number of pauper idiots receiving state allowances increased from 1,082 in 1931 to 1,631 in 1938, and the allowances increased from \$80,927 in 1931 to \$120,276 in 1938.¹³ However, the most encouraging attack was made on this problem in 1938 when the legislature provided that the Division of Hospitals and Mental Hygiene, Department of Welfare, should have general supervision of these cases as well as the power to grant permits for their care in private homes.

¹¹ *Ibid.* (March 28, 1924), c. 101, sec. 15.

¹² From Griffenhagen and Associates, "Audit and Survey, Department of Public Welfare" (Chicago, 1934). (Mimeographed.)

¹³ Data from Aaron Paul, social statistician, Department of Welfare.

The people of Kentucky, through various studies, are aware of the problems concerning this allowance system, which was begun in the eighteenth century. As late as 1935 another study was made of 338 pauper-idiot cases in 28 counties which revealed that in 160 cases the committees were related to the idiots. In 27 cases there was no relationship, and in 151 cases the relationship was not stated. Mental tests had been given in Clinton County only, but of the thirteen idiots examined in that county two had a mental age of one year, three a mental age of four years, three a mental age of five years, three a mental age of six years, one a mental age of seven years, and one a mental age of ten years.¹⁴ This is extremely interesting, as an idiot is usually defined as a person with a mental age of less than three years.

One of the chief defects of the Kentucky pauper-idiot law is that without psychiatric or psychometric tests there is no way of knowing whether or not the beneficiaries are idiots. Although the principle of caring for this group outside of institutions is a good one, it did not and will not operate effectively unless the beneficiaries are closely supervised by a competent and skilled professional staff of workers. Since there are no home investigations by the circuit courts, there is no reason to believe that the allowances are granted on the basis of need; but instead they are altogether too frequently made on the basis of partisan politics. The beneficiaries are regarded as economic assets, and the objective of the committees is to obtain the care of as many as possible. Frequently the committees are relatives of the beneficiaries, and it is not unusual to find two or more beneficiaries per family. Many of these defects will no doubt be corrected by the 1938 act of the legislature, which vested the Division of Hospitals and Mental Hygiene, Department of Welfare, with the control and supervision of these cases in private homes. However, this part of the new mental-hygiene program in Kentucky has not been started as yet.¹⁵

WEST VIRGINIA UNIVERSITY
MORGANTOWN

¹⁴ "Care of the Mentally Defective" (Kentucky E.R.A., 1935). (Mimeographed.)

¹⁵ Information obtained from a letter received from Margaret Woll, commissioner, Department of Welfare, April 27, 1939.

NOTES AND COMMENT BY THE EDITORS

FEDERAL REORGANIZATION AND PUBLIC WELFARE

THE final result of reorganization will be on the statute-books and no longer a matter of speculation when this *Review* appears. The President has been using the powers given him by Congress with regard to the shifting and regrouping of government bureaus and administrative agencies but indicates that he has not yet completed his task. Congress did not, however, give the President power to create a new department, and many social workers will regret that our long-hoped-for federal department of public welfare has not been one of the results of reorganization. However, the President has used such powers as Congress gave him and has set up at least two new welfare authorities: (1) the Social Security Agency; (2) the Public Works Agency. We have a direct interest in both, with the Social Security Board, N.Y.A., and C.C.C. in one, and the Work Relief Program and Housing in the other. We shall also continue our long-time interest in various other public welfare bureaus left in the departments. We continue to have a stake in the Labor Department, where the Children's Bureau, the Immigration and Naturalization services, and other divisions of the Labor Department that are important to social workers will continue. We also are very directly concerned with the Bureau of Prisons in the Department of Justice.

It is a tradition of social work to accept the situation when action has been taken and when the new agencies, even if they are not set up exactly as we should have liked to have them, are, nevertheless, in existence and in need of competent personnel, in order that the greatest possible benefit may be got for our clients from the new governmental organizations and to help in so far as we are able to make the new appropriations that come from the taxpayers serve the true purposes for which they are provided. Social workers, when this *Review* comes out, will be more concerned about questions regarding the heads of the new agencies than in any speculation about where we would have put this bureau or that and what we would have done about reorganization.¹ It is now "Forward march" to help the new agencies return maximum benefits to our clients and to the taxpayers.

¹ See, e.g., this issue of the *Review*, below, p. 314, for a statement about the very recent controversy regarding where the Federal Employment Service was to go.

EDUCATION WAS A CHARITY

A DELIGHTFUL and scholarly English book on *The Charity School Movement*¹ is a contribution to the history of philanthropy and private charity and also to the history of education. But, more than that, this study by an English historian, Miss M. G. Jones, of Cambridge University, also throws light on one of the most important of our present-day social welfare problems in America. We have heard a great deal in the past few years about a difference which some Washington authorities have recently discovered between old age assistance and old age pensions. Quite recently, from a very high federal authority, has come the statement that old age assistance "is not a pension." One feels tempted to interrupt a speaker or challenge a newspaper columnist when this statement is made. Why is old age assistance not a pension? Who decides what is to be called a "pension" and what is not? The statement made recently by a representative speaking with authority from the Social Security Board was that old age assistance was "a charity, not a pension," that old age assistance "could not be a pension since no contribution has been made by the person who had received this grant." Of course, this is a statement that disregards the long history of the word "pension" and pays no attention to the history of the social welfare movement in either England or America.

Until the time of the Social Security Board it was always common to talk about noncontributory social insurance and noncontributory old age pensions. England, for example, has an old age pension system for persons over seventy on a noncontributory basis, and the English language in England seems to have accepted the use of the word "pension" for this payment. In this country we had old age pensions and blind pensions and mothers' pensions in a large number of states before the Social Security Board began operating; and our various state legislatures had used the term "pensions" advisedly, as well as competently and honestly. The representative of the Social Security Board has many arguments against making old age pensions (now called "old age assistance") either adequate or self-respecting grants. An attempt is being made to draw an invidious line between old age benefits and old age assistance. It is assumed that it is desirable and proper to make workers who are already on a standard of living below the margin of decency pay an additional and special tax to provide for themselves in their old age. Therefore, empha-

¹ *A Study of Eighteenth Century Puritanism in Action*. By M. G. Jones. London: Cambridge University Press; New York: Macmillan, 1938. Pp. xiv+466. \$7.00.

sis is laid on making old age benefits for which a special tax has been paid seem to be something superior and, by calling old age assistance "relief," make its receipt humiliating to the recipient. Certainly, large numbers of social workers do not accept this as either desirable or proper. It was not a social worker, however, it was one of the ablest financiers of England, the Right Honorable Charles Booth, chairman of the Cunard Shipping Line, author of the *Life and Labor of the People in London*, who first proposed a universal old age pension for England to be paid out of the national exchequer and not by special taxes on the workers. Mr. Lloyd George, too, in speaking during the "Old Age Pensions Debate" in 1908, declared that he had no use for the terms "contributory" and "noncontributory." So long, he said, as taxes were imposed upon the commodities consumed in every family in the land, every family in the land was actually contributing to the pension (or insurance) fund. He went on to say further:

When a scheme is financed out of public funds, it is as much a contributory scheme as a scheme which is financed directly by means of contributions arranged on the German or any other basis. A workman who has contributed health and strength, vigor and skill, to the creation of wealth by which taxation is borne, has made his contribution already to the fund which is to give him a pension when he is no longer fit to create that wealth.

The English Inter-departmental Committee on Old Age Pensions (yes, still "pensions," and not "assistance" or "relief") recommended in 1919 that the Charles Booth plan of universal pensions should be adopted. But England has never done just what was proposed because she needs her national resources to pay for the last war and to get ready for the next war, and the heavy costs of maintaining the British Empire have meant that English taxes have been consistently increased and have been placed on every possible corner of everyone's budget, even of the poorest of the poor. But there is no reason why America does not have resources to provide a fair, honest, modest old age pension to everyone without taking it out of the children's bread and butter along the way.

The reader may well ask: But what has the history of the Charity School Movement to do with all this? The reply is that education was once a charity, and our grandfathers and great-grandfathers were told that, if people did not pay direct contributions by paying the old school fees for the education of their children, the American character might lose its rugged individualism. But we got our free schools, and education is no longer a charity in this country, although representatives of the Social Security Board may think that it is a charity since the parents long ago

stopped paying school fees for their children. A tax is a contribution everyone pays. The poorest man on the corner pays a sales tax in addition to the indirect taxes that he shares.

Old age pensions can be made universal and non-contributory, placed on the federal budget and be called "pensions" and still not be a charity any more than the public schools are a charity. And in the long future this will surely happen. Either social workers and other reasonable people will plan for a wise and modest system of universal old age pensions without any contributions taken from the worker's inadequate wage, or we shall have Townsendites and Welfare Leaguers getting very unsound and unwise plans on the statute-books. A study of the history of education in the days when education was a charity is very well worth while for social workers, and we commend this very interesting history of the days when the schools of England were charity schools as a book that will repay careful study.

PUBLIC SUBSIDIES TO PRIVATE HOSPITALS

THE granting of public tax-collected funds to private social agencies and institutions is a policy that, in the long run, retards the growth of a public welfare program. The reasons for this "end result" are well known. The private agencies acquire a vested interest in the public payments and not infrequently exert pressures of various kinds to prevent the inauguration and adequate support of a public service or the appropriation of public funds for building a public institution. The two fields in which these subsidies have been most frequently granted have been (1) in the support of private children's institutions and agencies and (2) in the support of private hospitals and clinics.

There are, of course, two kinds of subsidies: the old *lump-sum* subsidies and the more modern *per capita* payments. Some of the subsidized agencies claim that per capita payments are not really subsidies but are only the purchase by the public authorities of necessary services for those in need. But it is clear that purchasing of services becomes a necessary part of the income of the private agencies, and the agencies become so reluctant to relinquish these payments that they use such influence as they can command to prevent the establishment of an adequate public service that will make the purchasing of services from private agencies no longer necessary.

Quite recently the American Hospital Association and the American Public Welfare Association have adopted, by official action of their

respective governing bodies, a timely outline of policies concerning the use of tax funds for service to those in need of medical care and unable to provide such care. In the small cities and towns there are, of course, fewer general public hospitals; and these nonurban areas have often depended upon private hospitals in the past and now find it difficult to change their policy and erect public hospitals, for reasons already indicated. Of course, it is absolutely necessary that hospital care be given to persons in need; and, if there is no public hospital, there is nothing to do for the present except to use such hospitals as are available rather than let our clients suffer. Since many of these hospitals must be used at present for public care given at public expense, this joint report¹ of the A.P.W.A. and the A.H.A. sets out the methods of making the subsidy system as little harmful as possible in these areas. However, the *Review* thinks it is important to remind its readers that the subsidizing of private hospitals also goes on in large cities, where the public services could and should be expanded. Emphasis should, we believe, be laid on the establishment of good public out-patient clinics instead of granting public subsidies to numerous private clinics, and of building additional units of the public hospitals instead of subsidizing private hospitals.

But if subsidies must go on for the present in some areas, this report will be valuable in helping to show that the old-time method of payment on a lump-sum subsidy basis is very undesirable and that it should be a fundamental principle that payment should be made on the basis of service actually rendered.

The report commends the plan of having public officials deal with the hospitals of their communities jointly through the organization of hospital councils within each city or county or with a joint committee from the local hospitals where hospital councils are not practicable. Rates of payment can then be adjusted through conference. It is important, too, that the report points out that private hospitals must recognize the accepted policy that public funds should be expended by public authorities. Private boards or proprietors must expect some inspection or supervision of the accounts of their institutions, procedures for charging, and admission of patients and should encourage uniform systems of accounting among their member-hospitals. This report will be useful and should be widely read.

¹ See the report, which appeared in *Hospitals* (Chicago: American Hospital Association), January, 1939. Reprints of this report are available upon application to the American Public Welfare Association, 1313 East Sixtieth Street, Chicago, Ill., or to the American Hospital Association, 18 East Division Street, Chicago.

THE NATIONAL HEALTH PROGRAM

SOCIAL workers have been anxiously watching the slow progress of the important Wagner Health Bill. Hearings have been going on during the month of May, but a committee report and congressional action will undoubtedly still be in the balance when this *Review* appears.

Members of widely representative farm organizations, various representatives of medical and health agencies, and members of labor groups, both A.F. of L. and C.I.O., have been appearing both for and against the bill. The hearings have been widely reported and have been valuable as continuing and broadening the support for the bill. Although widespread interest is indicated, as we go to press it is doubtful whether action will be taken this session.

PROTECTING THE CHILD'S RIGHT TO
HIS EARNINGS

THE principle that the earnings of children belong first to the father and, after his death, to the mother has been universally accepted as a feature of the common law of domestic relations. Always the work of the wife and the children has constituted an important contribution to the composite income of the father, to whom the services of wife and children belonged. Under the earlier law the father's right was very like that of ordinary ownership; but in the later times, and especially in a number of the American commonwealths, the theory was developed that this right was something in the nature of a compensation for the cost of the child's support for which the father may be held liable (see *Hammond v. Corbett and Trustee*, 50 N.H. Reports 505 [1871]). Of course, under earlier conditions the work of the children was in the form of domestic or agricultural tasks; and later, when the children went into mills and workshops, the wages they brought in were small sums, which, as one kindly judge said, hardly justified setting up elaborate arrangements in the form of trust funds; in fact, they are estimated as not fully reimbursing the parent. These earnings have, however, lately, in connection with the motion-picture industry, taken on a totally different aspect. The controversy between the one-time child star Jackie Coogan, grown to early adult life and wanting to marry and finding himself the penniless beneficiary of his parents in enjoying meager shares of the sums obtained by his childhood performances, and his parents has thrown the question in high relief. In view of the children's legal incapacity, the movie producers now, under a statute enacted in 1927 (*California Statutes*, 1927, c. 876,

p. 1917), rely on the co-operation of the judges to secure and validate the agreement with the child actors.

In 1927 the legislature gave to judges the authority to approve contracts for minors, thus filling one important gap in the law of infancy in California. This virtually makes the court the child's guardian; and last year, Superior Judge Emmet H. Wilson declared that, before he would approve of a theatrical, radio, or moving-picture contract for a minor, the parents or guardians of the child must agree to establish a trust fund for the benefit of the child. Now, in further protection of the child, the legislative judiciary Codes Committee is recommending that by statute it be required that one-half of the child's earnings be set aside as a trust for the benefit of the child (*Metropolitan Press*, May 4, 1939). Again the position of husband and father moves from one of irresponsible authority to one of recognized responsibility.

THE REFUGEE CHILDREN'S BILL¹

SOCIAL workers have responded promptly to the call for help for the refugee children of Germany. An influential national Non-sectarian Committee, organized largely through the activity of Dr. Marion Kenworthy, of New York, and Mr. Clarence E. Pickett, of the Friends Service Committee, have carried on an effective campaign in behalf of the Wagner-Rogers Bill. Child-caring agencies in different parts of the country have been active not only in supporting the bill but in working out a plan for the care of the children which has been accepted by the committee.

Public hearings were held the last week in April by a joint subcommittee of the House and Senate committees on immigration under the chairmanship of Senator William H. King, of Utah. All members of the subcommittee showed the most sympathetic interest in the testimony of the various witnesses. The situation abroad creating the need for the bill, the general plan for the care of the children, and the wide popular support

¹ The *Review* has called attention before to the great social importance of the many questions relating to the urgent needs of the refugees. New books received, which it has not been possible to review this month but which will be timely for our readers, include Louis Adamic, *America and the Refugees* ("Public Affairs Pamphlets," No. 29 [1939]), price 10 cents; *Convention concerning the Status of Refugees Coming from Germany, Geneva, February 10, 1938* (Cmd. 5780) (London: H.M. Stationery Office, 1938), price 6 pence; J. H. Simpson, *The Refugee Problem: Report of a Survey* (London and New York: Oxford University Press, 1939), 653 pages, price \$10. The preliminary report on the Simpson survey was reviewed in the last issue of this *Review*, p. 132.

for the measure were described by Mr. Clarence E. Pickett, acting executive chairman of the national Non-sectarian Committee for German Refugee Children.

Opposition to the bill consisted chiefly of spokesmen for patriotic societies, who based their arguments, in the main, on vague and rather emotional appeals and on their general opposition to immigration.

The bill was reported favorably by the subcommittee of the joint House and Senate immigration committees early in May; and, while this was a most encouraging and important development and the press has been, on the whole, interested and generous in reporting the hearings and giving editorial support to the bill, the fate of the bill is not known as we go to press.

A resolution memorializing Congress to pass the Wagner-Rogers Bill was introduced in the New York State Senate, urging Congress to enact the bill into law with all possible speed. The resolution stated: "Aid given to the helpless child victims of Germany's ruthless persecution will be in keeping with the generous impulses and democratic instincts of the American people."

EMPLOYMENT OF MARRIED WOMEN

THERE has never been any real question about married women being expected to work. The questions that arise are, may they select their own employment and collect their own earnings?

A number of state legislatures are again considering placing limitations on the range of their employment and on their freedom of choice with regard to occupations. There is also the question of excluding them from certain positions in the public service. Proposals have been made in the state legislatures of Illinois and Massachusetts to prohibit their receiving appointment to public positions under any circumstances or unless they can show that they have no one on whom they can rely.

Some legislators are concerned to distribute the opportunities for employment among as many families as possible and forbid more than one member of the family from securing public employment if other members are employed either in public or private positions. Connecticut proposes \$1,500 as an income from the father or husband that should keep the wife from seeking outside employment and proposes the setting-up of a commission of three persons to study the subject. Massachusetts suggests the dismissal of any being subsequently elected or appointed. The governor of a state in the far northwest, of which a woman is secretary of state,

having no statute to meet his theory on the subject, has issued an executive order prohibiting the appointment of married women.

This brief notice does not claim to be comprehensive. Copies of similar bills have been received from two northeastern states, three states in the Middle West, and three in the Rocky Mountain and Pacific areas. Attention should, however, be called to two steps that seem in a backward direction and alien to the idea of freedom of contract: one limiting the work of married women and the other treating the family earnings as a matter of public concern and using the family organization as a means of distributing employment opportunities.

GAINFULLY EMPLOYED WOMEN IN GERMANY¹

SOME effective slogans of National-Socialist propaganda were that every woman should get married, should rear children, and should be freed from the struggle of making a living. In 1933 all means were used to induce women to leave their jobs in order to let unemployed men take their places. But the armament race changed the aspect from that of unemployment to a shortage of labor. Today the number of working women and children in industry and agriculture considerably exceeds those working in 1933. Of thirty-eight million women in Germany, thirteen million are gainfully employed. Almost 40 per cent of this total are working as rural laborers, 24 per cent in industry such as the manufacturing of iron cores and poison gas, 14 per cent in commercial vocations, 6 per cent in government and municipal services, and 14 per cent in domestic labor.

The shortage of labor caused by the rearmament resulted in a lack of women workers in domestic services and agriculture. The compulsory labor services, therefore, were also applied to women, requiring one year of unpaid labor in farmers' and settlers' families and another year of compulsory labor in rural or domestic work. These two years must be served by any girl under twenty-five who intends to get a job in industry or to do clerical work or civil service. Marriage loans and different kinds of maternity benefits granted to encourage a higher birth-rate are no longer dependent on a woman's leaving her job. For the same purpose many employers agreed to pay the difference between the maternity benefit and the former wage of women workers for six weeks before and six weeks after childbirth.

¹ [This subject has been dealt with in the *Monthly Labor Review*, XLVI, 302, but a friend of the *Review* in Germany has sent us additional material that may be of interest to social workers.—EDITOR.]

The German Labor Front, in January, 1939, established a special branch for organizing more women in order to enter industrial work. This branch, "Bureau for Social Responsibility" (Amt soziale Selbstverantwortung), asked all other branches of the German Labor Front for assistance in encouraging nonworking women to apply for jobs. The women should be trained to substitute for their husbands, fathers, and brothers, at least temporarily, while the men were in military services or compulsory labor. Housewives with children are to be employed part time only, and those women unable to go to work in the factories are to be given home work.

SOCIAL WORK: AN ENGLISH QUARTERLY

MANY American social workers will welcome this latest revision of the *Charity Organisation Quarterly*, which, in the old days before the war, had been familiar as the monthly *Charity Organisation Review*. In its new form the quarterly, expanded to cover the interests of certain other groups, appears attractively in a new cover design and with a new name. It will continue to be a welcome visitor in many American social-work offices and libraries.

IN MEMORIAM

GEORGE E. HOOKER

1861-1939

THE cause of civic progress and constructive social reform lost a faithful, indefatigable, and valuable worker in the recent death of George Ellsworth Hooker, for nearly forty years a resident of Hull-House, for more than twenty years the civic secretary of the City Club of Chicago, and for some years an independent writer of editorials for the *Chicago Tribune* on noncontroversial and aesthetic aspects of urban life. The Chicago newspapers had little to say in their obituary columns, or elsewhere, about the activities and services of Mr. Hooker; the general public had forgotten him. But hundreds of thoughtful and enlightened men and women who worked with, or under, him and who are indebted to him for inspiration, guidance, and co-operation will long remember him and his contributions in various fields of humane and forward-looking endeavor.

Mr. Hooker was exceptionally well qualified for the work to which he devoted his life. He had studied law at Columbia and divinity at Yale. He never practiced law, and the role of pastor did not strongly appeal to

him. He proved to be the right man in the right place, however, when he was appointed civic secretary of the City Club of Chicago. The solid and notable achievements of that Club were largely due to his energy, his vision, and his high standards. He had ideas, and he stimulated and encouraged fruitful ideas in the committees and leading members of the Club. He organized remarkable forum discussions. He conceived the plan of special symposiums on such themes as American ideals, the concept of progress, and exemplifications of that concept in particular spheres. He studied deeply the questions of local transportation, pensions for public employees, housing, zoning and city planning, and the ways and means of relieving urban congestion and giving people the benefits of natural beauty and "living green." He strenuously opposed subways as a solution of the Chicago traction problem.

Cook County and its millions of inhabitants owe the remarkable forest-preserve system to the initiative and perseverance of Mr. Hooker and a few civic-minded associates.

After his resignation as civic secretary of the City Club—a step which followed his indignant denunciation of a traction plan sponsored and advocated by a former president and distinguished member of the City Club—Mr. Hooker turned his attention to national and international problems and formed a small but unique organization to study the conditions of permanent peace and of security based on justice to the have-not nations. He believed profoundly in democratic processes and the disarming and healing effects of free and honest discussion. He was interested in the common man and never lost his faith in him. He exemplified the way of life characterized by simple living, high seriousness, devotion to duty, and insatiable intellectual curiosity.

VICTOR S. YARROS

FREDERIC SIEDENBURG, S.J.

1872-1939

FATHER SIEDENBURG, who was born in Cincinnati and who lived and worked for so long in Chicago, seemed to belong to us in the Midwest. As dean of the Loyola School of Social Work from 1912 to 1932, he came to have great influence among the social workers of the country and especially among the social workers of Chicago, who counted him as one of their truest friends. More recently he had been called to serve as dean of the University of Detroit; and here, also, he had warm friends among the social work group and served recently as president of the Michigan

Conference of Social Work. He was well known in the National Conference of Social Work for nearly a quarter of a century. He had served in Illinois on the State Board of Welfare Commissioners, on the Executive Committee of the Illinois State Welfare Conference, and on the Cook County Bureau of Public Welfare's numerous advisory committees; he was a charter member of the Chicago Chapter of the A.A.S.W., and he served on committees, boards, and commissions, giving generously and endlessly of his time and his skill and understanding. He was wonderfully open-minded and quick to get the point of view of all sides in a controversy. He stood staunchly by the basic principles that he was convinced were right—such as the divorce between public welfare and politics. He not only believed in civil service—he believed in a competent and efficient civil service. A devoted servant of the cause of those who needed help, his memory will be cherished by social workers in many parts of the country and especially in Chicago, where we thought he really belonged to us even after he had left us.

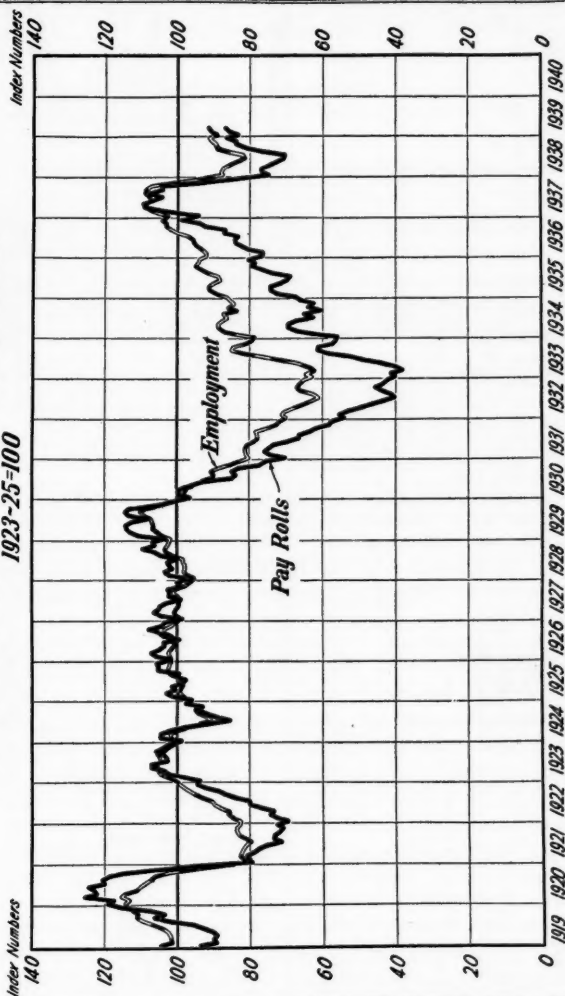
EVART G. ROUTZAHN

1869-1939

EVART ROUTZAHN was a pioneer in the field of popularizing social work material. He had been directing a department of surveys and exhibits for the Russell Sage Foundation for nearly a quarter of a century and was a well-known and welcome visitor and speaker at the various state conferences and the different schools of social work. With his wife, Mary Swain Routzahn, he had worked with enthusiasm and great skill in developing new, useful, and more effective methods of social work publicity. The National Social Work Publicity Council was one of their many joint enterprises. Mrs. Routzahn will carry on their valuable work for the Russell Sage Foundation.

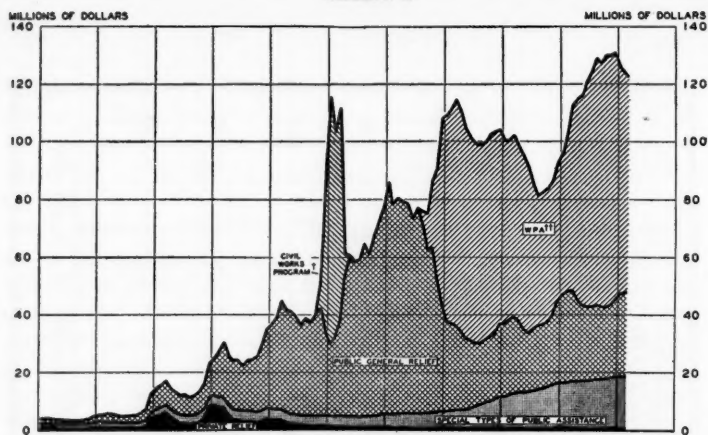
EMPLOYMENT & PAY ROLLS ALL MANUFACTURING INDUSTRIES

1923-25=100



UNITED STATES BUREAU OF LABOR STATISTICS

CHART I

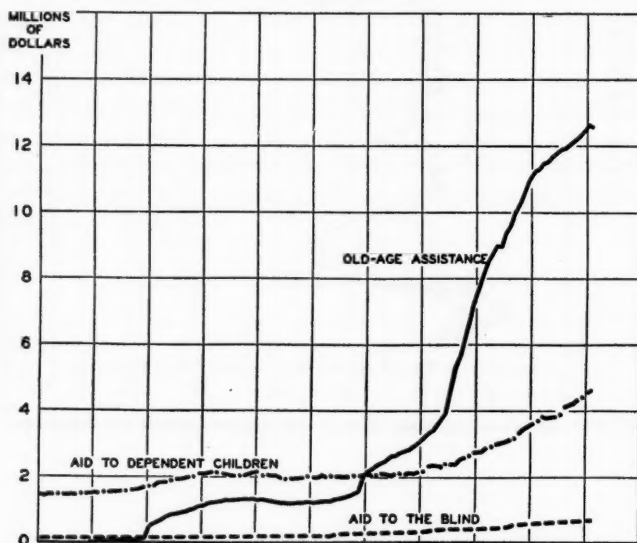


Social Security Board, Bureau of Research and Statistics, Division of Public Assistance Research

PUBLIC AND PRIVATE ASSISTANCE AND EARNINGS OF PERSONS EMPLOYED ON PROJECTS OPERATED BY THE WORKS PROGRESS ADMINISTRATION AND UNDER THE CIVIL WORKS PROGRAM IN 116 URBAN AREAS IN THE UNITED STATES, JANUARY, 1929—FEBRUARY, 1939

† Earnings of all persons employed under the Civil Works Program, including the administrative staff.
 ‡ Earnings on projects operated within the areas.

CHART II



Social Security Board, Bureau of Research and Statistics, Division of Public Assistance Research

SPECIAL TYPES OF PUBLIC ASSISTANCE IN 116 URBAN AREAS IN THE UNITED STATES, JANUARY, 1929—FEBRUARY, 1939

BOOK REVIEWS

Readings in Social Case Work. Edited by FERN LOWRY. New York: Columbia University Press, 1939. Pp. xiii+804. \$3.50.

This volume of "Selected Reprints for the Case Work Practitioner" is comprised of seventy-four articles that have been published in professional periodicals or in the *Proceedings of the National Conference of Social Work* since 1920.

It is a well-arranged, usable volume which will be welcomed by all case workers who have deplored the fugitive nature of so much of the material published in their field. It will be useful not only to the case-work practitioner but to teachers of case work whose expanding classes are making unprecedented demands upon the limited numbers of copies of older volumes.

Aside from the difficult and time-consuming effort of locating and selecting the material, the editor's chief contribution has been the evolution of a scheme of organization for its arrangement. This scheme, she states, aims to present case work in relation to the setting within which it is practiced, in relation to the whole field of social work, and to other professional fields as well as the relation of generic practice to the specialized forms of case work and the interrelationships of these specialties. The book succeeds admirably in achieving this objective.

Beginning with several articles concerning the philosophy of social work, in general, the reader moves on to articles that enunciate and clarify the philosophical concepts in case work. The largest number of articles are included under the heading "Generic Concepts in Case Work Practice" and are further classified under subheadings such as "Early Interviews and Exploratory Processes," "Continuance of Study and Diagnostic Processes," and "Treatment Processes." Other major sectional headings are "Relation of Practice to Agency Function and Setting," "Functional Interrelationships of Case Work and Other Social Work Fields," and "The Relation of Social Work Practice to Its Professional and Social Setting" (which contains articles pertaining to the relationships with sociology, psychology, psychiatry, home economics, the school, industry, and law). A final section deals with the "Relation of Case Work Practice to Community and Socio-economic and Cultural Setting." The usefulness of the book is enhanced by a Table of Contents, which follows the organization outlined above, and an Index of Authors. There are no editorial notes or comments except the brief Preface.

Doubtless every case worker will be conscious of the omission of one or more favorite articles or authors who, she will wish, might have been included; but, of course, limitations in the selection of material had to be set in order

to conform to the space available in one volume. The date 1920 was selected as the earliest date because it seemed to the editor to mark the point at which "the technical problems of case-work practice were beginning to be given wider consideration." Actually, however, only nine articles bear an earlier date than 1930. Out of the mass of material published between 1920 and 1938 the final selection was based primarily on the contribution of the article to the particular perspective which was the aim of the book and the requirement that it present material that is significant to the case worker today. The emphasis is definitely not on material the chief value of which is historical, but here for the first time is brought together in an orderly logical arrangement much of the best thinking in the field of case work in recent years.

Almost half the articles selected were published originally in the *Family*, with the next largest number coming from the *National Conference Proceedings*. The remaining seventeen had appeared in fourteen miscellaneous periodicals, bulletins, and published proceedings.

The editor calls attention to the intentional omission of material which has appeared in pamphlet form. This omission may have been necessary because of the unwillingness of publishers to grant permission to reprint; but it is, nevertheless, unfortunate, as thereby some of the best case-work literature was ruled out. The unsatisfactory nature of paper-bound pamphlets of irregular shape and size and the difficulty of preserving them present a library problem of major significance. It seems to this reviewer that such pamphlets are actually less accessible in public libraries and in the libraries of schools and agencies than are the recent volumes of major professional journals and conference proceedings.

The most regrettable omission, however, are the articles of the editor. Miss Lowry has made a major contribution to a philosophy of case work in relation to the setting in which it is practiced, and this material has great utility in current case-work practice. It therefore conforms to the criteria that were set up for selection; yet not one of her own articles is included in her book.

In view of the value of this collection of reprints it is to be hoped that the plan of the New York School to continue to publish similar volumes from time to time may be realized.

GRACE A. BROWNING

UNIVERSITY OF CHICAGO

The Rehabilitation of Children: The Theory and Practice of Child Placement. By EDITH M. H. BAYLOR and ELIO D. MONACHESI. New York: Harper & Bros., 1939. Pp. 560. \$3.75.

With the increase in federal funds for the care of children, many private and semiprivate agencies are faced with the necessity of rethinking their function and purpose and of evaluating their methods and results. To these agencies and to students in the field, this book, an evaluation study of the discharged

cases of two private child-placing agencies in Boston—the Children's Aid Association and the New England Home for Little Wanderers—will be interesting and challenging. Private agencies have an important contribution to make in experimentation and research. It seems significant, therefore, that this study came out of a state which has assumed responsibility for the care of neglected and dependent children, thus permitting these two private agencies to be selective in their acceptance of cases, to experiment in methods of care, and to initiate research projects.

In making a study such as this, one of the most difficult problems is to formulate adequate criteria for the evaluation of a child's response to care. The authors based their criteria on the following four factors: "first, the avowed purpose or purposes of the agency in accepting the child for care; second, the adequacy of the investigation made in each case; third, the adequacy of the plan of treatment developed for each child in the light of the investigation and avowed purpose, and fourth, the responsibility of the agency for problems developing after supervision began and its treatment of them." The final evaluation of the child's response to care was termed favorable or unfavorable. "In all cases in which there was found evidence that one or more of these factors were overlooked or unaccomplished the response of the child was termed unfavorable." This is an interesting set of factors focused upon the responsibility and adequacy of the agency. It is regretted that the authors did not include a more precise definition of the criteria, which would have been helpful in understanding the subsequent material. According to the criteria used, the authors found that, of the total of 661 cases studied, the response of 65 per cent of the children was classified as favorable, 35 per cent as unfavorable.

The children whom the agencies attempted to treat presented a different problem or problems at time of acceptance, and on the basis of these problems the cases were divided and evaluated accordingly. As might be expected, it was found that the children presenting behavior problems and delinquency responded less favorably to foster-home care. The children whose initial problems were broken homes and health responded most favorably.

The cases included in this study were those closed by the two agencies during the four-year period 1928-32. In 1933 a follow-up study was made at which time information was obtained in 93 per cent of the 545 cases contributed by the Children's Aid Association for the study. The post-treatment evaluation was made on the basis of the child's later behavior, environment, and health. An individual who had not misbehaved, who was living in a situation that was not marked by harmful factors or conditions, and who had been in good health throughout the period since discharge was termed as making a favorable response. This selection of factors is interesting in that it places responsibility for the individual's later satisfactory adjustment not only upon the individual himself but also upon his family, social agencies, and the community, thereby pointing up a wider area of responsibility of children's agencies than has been

generally assumed. To what extent agencies are willing or able to accept this responsibility is unknown, but it challenges any belief that the agencies' responsibility for a child's care can be limited to the child himself. The final evaluation based on all three sets of factors showed that 67 per cent of the children located were making a favorable adjustment.

The authors compiled a prediction table based on the results of the study as a means of determining the selection of cases and planning treatment. This device is comparable to prediction tables made of delinquency by various other authors. Such a device may give an indication of the general trends and the probable outcome, but its usefulness to children's agencies is questioned. The authors mention some of the difficulties involved, but the chief objection lies in the fact that any prediction device based on objective data, attitudes, and symptomatic behavior fails to give consideration to the dynamic quality of human life and conduct. It is this area of subjective material which has the greatest prognostic value.

The findings of the study have confirmed many of the impressions of the weaknesses and limitations of foster-home care. The authors correctly place emphasis upon the need for better diagnostic skills in the study of children and new and more effective methods of treatment. In their discussion of the use of foster-homes the necessity for better understanding of foster-parents' motivations and attitudes is urged. The failure of the children's agencies or of co-operating agencies to give needed case-work services to the child's own family to which he may return, the punitive attitude and legal interpretation of the juvenile court, the absence of research interest in children's agencies, and, finally, the limitations of some social workers are stressed as being adverse factors to the favorable outcome of treatment.

The chapter on the psychiatric approach to children's work would seem to indicate that psychiatric case work differs widely from case work in general, whereas the training programs of the leading schools of social work are now so organized that some psychiatric orientation is considered basic for every case worker. In this chapter the writer seems to imply that the "psychiatric approach" is a method of treatment with children which is not dependent upon concomitant bolstering and supportive environmental treatment. However, in practice it has been found that the one must accompany the other.

In addition, and supplementary to the report of the study, the book contains a brief description of the various types of services provided for children, a description of a child-placing agency, illustrative case material, and the discussion of the psychiatric approach to children previously referred to. Mention should also be made of the material published in the Appendix, particularly the description of the Preventive Health Clinic and the unit costs of child placement, both of which will be valuable to other agencies.

LOIS WILDY

UNIVERSITY OF CHICAGO

The Open Mind: Elmer Ernest Southard, 1876-1920. By FREDERICK P. GAY with Introduction by ROSCOE POUND. New York: Normandie House, 1938. Pp. xxiii+324. \$5.00.

The character, interests, activities, and accomplishments of Elmer Ernest Southard were so varied and ramified into so many fields of intellectual and practical activity that his biography, so ably prepared and interestingly presented by Dr. Gay, contains material of value to the present-day reader whose major interests may lie in any of half-a-dozen fields. Dr. Southard was the first Bullard Professor of Neuropathology at the Harvard Medical School and the first director of the Boston Psychopathic Hospital. He conceived and started the training of psychiatric social workers, and it is perhaps in this connection that this thoroughgoing review of his life and works will particularly appeal to readers of this *Review*. Probably no more important document, for its potential stimulating effects, has appeared in the field than the *Kingdom of Evils*, posthumously completed by his collaborator, Mary Jarrett. With respect to the vast fund of knowledge, the mastery of techniques of many types, the abundant energy, interest in human problems, and inspiring personality Gay aptly speaks of Southard as "philologist at heart, psychiatrist and philosopher by predilection, and pathologist by rigorous training," who turned, in his maturity, to psychiatry.

Dr. Gay, who is a distinguished scientist in his own right, has given us in this book a penetrating analysis of Southard's contributions to science in various fields, to neuropathology and to psychiatry as special portions of science and medicine, to education, and to social work. In addition, this reviewer believes that the book is well worth reading as a biographical study of a great human being, who, probably more profoundly than other single person of his day, affected the relationships of psychiatry to other forms of dealing with individuals in difficulties or distress. That this influence is still a living force in the lives of many who were his contemporaries and students is vividly attested by the annotated material presented.

It is doubtful if the reader whose primary interest in Southard's contributions to social work can savor the full meaning through reading chapters x and xi, which, in some forty-five pages, give some of his concepts about social work, and chapter xiv on "Southard and Psychiatry"; but for those who are chiefly concerned with this phase there will be found ample evidence of the broad conceptions with which he approaches these topics.

Perhaps the most interesting and stimulating aspect of the book for the general reader lies in the glimpses which it gives of a very fine logical, analytical mind at work on topics which at first glance might seem to have no special relations to his primary field. It is precisely because he saw that the lessons to be derived from studying the grossly disordered might be applied to problems of everyday living that this scintillating book should find its well-read place on every thoughtful social worker's desk.

LAWSON G. LOWREY, M.D.

NEW YORK CITY

Psychopathic States. By D. K. HENDERSON, M.D. New York: W. W. Norton & Co., Inc., 1939. Pp. 178. \$2.00.

This book is a report of the last Salmon Memorial Lectures delivered in New York. The subject is covered in three chapters: "Place in Psychiatry," "Clinical Manifestations," and "Social Rehabilitation."

The author, who is professor of psychiatry at the University of Edinburgh and physician-superintendent of the Royal Edinburgh Hospital for Nervous and Mental Disorders, comments that bringing this subject from Scotland to the United States is like bringing coals to Newcastle but renders generous tribute to the various workers of this country who have written so extensively on the subject. His presentation is straightforward and simple and is characterized by a spirit of modesty and inquiry that should commend itself to students who wish an introduction to the field based on the practical experience of a practicing psychiatrist. For the professional worker familiar with the literature, the first two chapters may contain little that is new, but the material is presented in a fashion that may raise new aspects of the subject.

The last chapter should prove of general interest in view of the author's thinking as to state medicine and his description—brief though it is—of the Scottish Health Service.

The book can be well recommended as a practical and worth-while introduction to the conditions known in this country more commonly as psychopathic personalities.

UNIVERSITY OF CHICAGO

DAVID SLIGHT

New Ways in Psychoanalysis. By KAREN HORNEY, M.D. New York: W. W. Norton & Co., 1939. Pp. 305. \$3.00.

This critical re-evaluation of psychoanalytical theories commands serious consideration. Originating in dissatisfaction with therapeutic results, it is said to be based on more than fifteen years of consistent application of Freudian theories in psychoanalytic practice. The author, therefore, is not in the defensive position of many Freudian critics who can be readily disposed of on the grounds of failure to comprehend the therapeutic and social implications of the intricate Freudian system. The presentation is strengthened through its constructive purpose which Dr. Horney states "is not to show what is wrong with psychoanalysis, but through eliminating the debatable elements to enable psychoanalysis to develop to the heights of its potentialities." Dr. Horney affirms certain Freudian principles and acknowledges Freud's contribution in giving basic methodological tools for therapy.

More specifically she expresses the conviction that psychoanalysis is limited through being an instinctivistic and genetic psychology. Referring to Freud's tendency to regard later peculiarities as almost direct repetitions of infantile

reactions and to his therapeutic concept that later disturbances will vanish if the underlying infantile experiences are elucidated, she comments:

When we relinquish this one-sided emphasis on genesis, we recognize that the connection between later peculiarities and earlier experiences is more complicated than Freud assumes: there is no such thing as an isolated repetition of isolated experiences; but the entirety of infantile experiences combines to form a certain character structure, and it is this structure from which later difficulties emanate. Thus the analysis of the actual character structure moves into the foreground of attention.

As to the instinctivistic orientation of psychoanalysis, she comments that, when character trends are not explained as the ultimate outcome of instinctual drives, merely modified by the environment, emphasis falls on the life-conditions molding the character, and one is led to search for the environmental factors responsible for creating neurotic conflicts. Disturbances in human relationships become the crucial factor in the genesis of neuroses, whereby a "prevailing sociological orientation" replaces a "prevailing anatomical-physiological one." She asserts that "when the one-sided consideration of the pleasure principle, implicit in the libido theory, is relinquished, the striving for safety assumes more weight and the role of anxiety in engendering strivings toward safety appears in a new light." Neuroses, then, represent "a peculiar kind of struggle for life under difficult conditions," while the anxiety manifested is the result of "the specific safety devices' failure to operate" rather than to "the 'ego's' fear of being overwhelmed by the onslaught of instinctual drives or of being punished by a hypothetical 'super-ego.'"

Dr. Horney differentiates therapeutic aims by stating that the purpose, then, "is not to help the patient gain mastery over his instincts but to lessen his anxiety to such an extent that he can dispense with his 'neurotic trends.'"

She then traces the influence of these basic changes on both diagnostic thinking and therapeutic emphasis. This is done very specifically in relation to the major tenets of Freud in chapters entitled "Libido Theory," "Oedipus Complex," "Concept of Narcissism," "Feminine Psychology," "Death Instinct," "Childhood," "Concept of Transference," "Culture and Neuroses," "The 'Ego' and the 'Id,'" "Anxiety," "The Concept of the 'Super-Ego,'" "Neurotic Guilt Feelings," and "Masochistic Phenomena." In the concluding chapter, "Psychoanalytic Therapy," the decisive differences emerge clearly. The reader is left with the impression that what Dr. Horney describes as Freud's "mechanistic evolutionistic" thinking has merged into functional thinking. A predominant emphasis in both diagnosis and therapy on the *origins* of attitudes and behavior trends has shifted to a more primary emphasis on the *functions* or purposes of attitudes and trends. One is led then from absorption in the patient's past to consideration of his present and to more active concern with his future. The patient is helped to face the consequences of his behavior through analysis of its present functions and future social implications, rather than to escape through projecting on to origins for which he is not responsible, through

becoming enmeshed in the remote past. Dr. Horney maintains that the past is not discounted, for, in one way or another, it is always contained in the present. She differentiates her standpoint from Freud's *not* as "actual versus past" but instead as "developmental processes versus repetition."

It is beyond the scope of the reviewer to comment upon these technical differentiations within the field of psychoanalytic practice. In so far as psychoanalytic concepts long have been utilized in social case work and to some extent have become an integral part thereof, there are certain vital implications for this field that occasion comment. Perhaps because social workers must continually aid the client in grappling with his present reality, perhaps because we see him and work with him in the midst of present disturbing relationships and adverse social factors, we have been drawn into direct focus upon the purposes which his behavior trends and attitudes *now* serve him. Likewise we have been drawn into an emphasis on life-conditions and relationships as the crucial factors in determining the genesis of attitudes and behavior. Because we have dealt with people at times when anxieties have been acute and frequently focalized around factors in the social situation, we have dealt fairly directly with anxiety through the rendering of services, through sharing their problems with them, and through talking out their concerns with them. While we have been through phases of greater emphasis on explaining and interpreting the origins of the individual's difficulty than on utilizing, redirecting, and interpreting the purposes which his particular solutions serve him, still with the integration of those basic psychoanalytic concepts which have been useful to us, we have gravitated more and more to a diagnostic and therapeutic emphasis akin to that described by Dr. Horney. This development has been due in part to the fair/ recent influence of Rankian thinking, which likewise focuses upon "developmental process" rather than upon "repetition." It has been due also to the influence of other psychiatrists and many Freudian analysts who, as they have contributed to social workers, have helped them to focus upon the dynamic purposes of behavior rather than upon dead-end delving and undue involvement in the past. They have not encouraged a therapeutic approach focused upon interpretation of the past so much as upon interpretation of the present attitudes and reactions. The genetic aspect has been considered in relation to understanding the purposes of behavior with view to determining how to meet the individual's need so that his purposes might change, be redirected, or utilized constructively. As social workers we have been aware of the dilemma of certain of our colleagues who at varying developmental phases or who more permanently and irretrievably have become lost in the Freudian system. They have functioned ineffectually, and one has been aware that they have been unable to see the forest for the trees. In these instances we have been inclined to think that the problem existed within these individuals rather than in the Freudian context. Our opinion has been that for some reason or other they have failed to grasp what was vital and useful to them as social workers, a

dilemma which might have occurred for these individuals in utilizing any theoretical system.

Now comes Dr. Horney's contribution, which seems to say that much of the Freudian ideology is vestigial and an encumbrance to effective psychoanalytic therapy. While she affirms certain basic concepts, she makes it clear that her experience has shown that the Freudian system is replete with debatable doctrines. Certainly it is evident that the Freudian framework is not wholly inimical to effective functioning. To what extent this is because individual analysts have made their own adaptations around these more basic concepts is not clear to the layman.

From the standpoint of the social case worker, our experience tends to affirm some of Dr. Horney's observations. Freud's contribution to the profession of social case work has been through the findings acknowledged as significant and fundamental by Dr. Horney, i.e.:

1. That psychic processes are strictly determined
2. That actions and feelings may be determined by unconscious motivations
3. That the motivations driving us are emotional forces

Through these general concepts social case work has experienced a basic reorientation during the last twenty years. In so far as we have stressed Freud's "modifying factors," i.e., "life conditions and relationships as molding the character," we have been helped to a dynamic treatment emphasis. In so far as we have overweighted Freud's "primary emphasis" on genetic factors both in diagnosis and therapy, we have been led astray and impeded in helping the individual to relate himself to his present reality. Because Dr. Horney's experience confirms ours in certain areas, this presentation is recommended to social case workers for careful reading and re-reading. The final chapter on "Psychoanalytic Therapy" should be thought-provoking in terms of case-work derivations which may emerge from her thinking.

CHARLOTTE TOWLE

UNIVERSITY OF CHICAGO

Crooked Personalities in Childhood and After. By RAYMOND B. CATTELL.
New York: Appleton-Century, 1938. Pp. 215. \$2.00.

In this small volume Dr. Raymond B. Cattell undertakes two tasks: (1) to report the clinical and experimental background on which the work of the psychological clinic rests and (2) to present a picture of such a clinic, including both its physical setup and its personnel organization. Stated in other words, he describes the material wherewith the therapist works—the personality structure—as so far observed by the various approaches; and one piece of machinery—the child guidance center—which society has set up to straighten out those personalities it finds awry.

After the usual statement of purposes and formulating of definitions (chap. i) the author gives five chapters to describing the Freudian, Jungian, Adlerian, and

the scientific (in the more narrowly conceived sense) approaches. Freud gets two of these chapters: one, a good exposition of this master's thinking (the unconscious, dreams, structures of personality such as id, ego, superego); the other, a not so good—because not so clear-cut—etching-out of details in this thinking (regression, repression, suppression, fantasy, projection, displacement, and conversion treatment as the analyst does it). In chapter iv, concerned with Jung, the author declines to the nadir of the book's achievement in the uncritical acceptance of the Zürich therapist, but he snaps back again to a good exposition of Adler. The chapter on scientific approach has a little bit of many things: McDougall and Shand, "temperaments" as studied by the *p* and *t* techniques of the Spearman school, Watson and the conditioned response schools. There follow chapters describing physical setup and personnel of a clinic; and the "crooked" personality with the environmental conditions—parental, family, more broadly cultural settings. Heredity is separately treated, followed, in turn, by discussions of maladjustment, genius, and, finally, what society can do about it. Case material throughout the book illustrates the points made.

Evaluating the book: First, it is a relatively undynamic orientation from which Cattell presents his material. His approach to the various Freudian mechanisms, as well as to the other clever subterfuges which the human personality has devised to get out from under, is purely descriptive. The hormic drive which colors the logic to the overtly observed erratic or distorted personality expressions receives little explicit emphasis. It is a line-etching of the "crooked" personality rather than a three-dimensional human being seeking some inner equilibrium, however off balance may be the postures he takes as he does his seeking. In his chapter on maladjustment the writer particularly misses the opportunity. Maladjustments, including the regressions, are (F. L. Wells has summarized the point) adaptations of their kind, but in the circumstances, useful, and, if we start with the patient's premises, appropriate. This is the viewpoint which is too, too lacking in the volume.

Second is the position first formulated in the chapter on Jung, namely, that it is "a part of therapy for the analyst to offer a philosophy of life to the patient *at the end of treatment*," (p. 70, author's italics). He is siding, in this attitude, with Jung, as against Freud, who is content to put the patient on his psychic feet and not to tell him where he goes from here. An important principle is here involved. The patient comes to the therapist for repairs. Has the latter met his obligations when he has finished these? Or must he also take his place at the steering gear and direct the machine's course? To this reviewer the latter choice is, to put it mildly, presumptuous. There is just a bare chance that the therapist's philosophy of life may not be a sound one. He, too, is a personality and his philosophy may be just his reaction to his own frustrations or blessings. This present age can see too clearly what may happen to nations' ethics when certain political doctors take it on themselves to decide what are their peoples' philosophies. The ethical values a society takes that whole society decides for itself and is likely to do so irrespective of the opinion of its individual professional

men. To these it assigns certain roles, and the physician's is that of healing. When he takes it on himself to tinker with philosophical directions he is fooling with machinery not in his field. Why the physician as the teacher of values? Why he more than the patient's architect or his tailor?

The "scientific approach" will hardly be recognized by psychologists who have been following the more recent experimental ingresses into the personality as containing much of what has been going on lately. McDougall's "instinct-emotion" pairs, and we know how thinly these have worn; Shand's armchair sentiments, and however sound his formulations the armchair is not a laboratory—on these Cattell leans heavily. The Spearman experiments, with which the author appears to be especially familiar, and the Pavlov-Watson thinking are the sole scientific approaches that are reported. Of the several other methods which are yielding, in some instances, rich fruits, nothing is reported: *Gestalt*, especially Kurt Lewin and his topology group; factor analysis; physiological methods; and expressive movements.

As these criticisms indicate, the professionally and scientifically oriented person will find the book inadequate in respect to breadth of content and unsatisfying in its static viewpoint.

Among the pleasurable reactions which the book elicits are, first, the author's starting-point concerning "abnormality" as only a species of normality—a deviation in quantity not quality. The kinship between behavior patterns in the healthy and their exaggerated forms in the mentally disturbed is still only too rarely recognized.

Second is Cattell's acceptance of childhood experiences as etiological in adult disorder. Too many psychologists—otherwise good scientists—still find business of scoffing at the mention of such relations. Then, too, the reader will find the descriptions of mental disease, as well as of the historical attitude toward such disorders, accurate and useful, even if within small space—no mean achievement. The quality of the discussion anent Freud and Adler has already been noted as good, and it is especially so for the layman. It is, in fact, the layman who will find the book quite valuable, if he is content to carry away from it a not too extensive or penetrating knowledge of the personality as the clinical psychologist finds it. The nontechnical style in which it is written adds, of course, to this merit. So too does the Bibliography.

S. J. BECK

MICHAEL REESE HOSPITAL
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Young Offenders Yesterday and Today. By GERALDINE CADBURY, D.B.E., J.P. London: George Allen & Unwin, 1938. Pp. 149. 3s. 6d.

This volume effectively presents a historical review from the days of Athelstan to the present period, showing the changing treatment of young offenders in England with special reference to similar movements in other countries. Reports from early pioneers, whose interest, insight, and imagination stirred them

as they visited children in prisons or saw the brutalities of transportation; Mary Carpenter's plea that Great Britain needed to have schools for her children other than in her gaols—such carefully selected accounts together with legislative provisions give meaning to the changing attitudes observed. As the author suggests, the desire to discriminate between the treatment of young offenders and adult criminals "is no product of twentieth century sentimentality."

With the growth of reformatories after the Youthful Offenders Act of 1854 came the attempt to place on the parents the responsibility for support of their children in detention. After the Probation of First Offenders Act (1887), probation was made effective through supervision only by the use of volunteers; not until 1906 were the first probation officers appointed in England. Under the 1907 Probation of Offenders Act, the chief objective was reformation rather than retribution. "The most important forward step in England for the treatment of juvenile delinquency" came with the Children Act of 1908, which made the imprisonment of boys and girls under sixteen illegal and ordered the setting-up of juvenile courts in all parts of the country. The Children and Young Persons Act of 1933 centers interest in the offender rather than the offense, and whether one is an offender or in need of care or protection the welfare of each individual is to be the first consideration.

The author, who for thirty-one years has served as a judge of the Juvenile Court in Birmingham, draws freely from her own rich experience, which enables her to select and integrate significant material from a wide variety of sources. She has been in a strategic position to witness and evaluate these changes of the past. Her hope for the future seems to lie in the idea expressed in the Foreword: "Society is not tolerant of those who make life uncomfortable for others. The anti-social man will always cause difficulty, and punishment has often been inflicted on him when an understanding of his problems would have given better results."

ALICE SHAFFER

UNIVERSITY OF CHICAGO

The Adolescent Court and Crime Prevention. By JEANETTE G. BRILL and E. GEORGE PAYNE. New York: Pitman Co., 1938. Pp. 230. \$2.50.

Judge Brill, who has been assigned the sessions of the Magistrate Court in Brooklyn, known as the Adolescents Court, and Dr. Payne, of New York University, have collaborated to give us a valuable and timely volume. Following recent aspersions on the success of the juvenile court for children up to sixteen, the authors are hard put to it to justify similar methods for youth from sixteen to nineteen. We may hesitate to accept at least one of their two premises. First, that the adolescent court may function more satisfactorily because older subjects will be more co-operative in their treatment! Second, that the adolescent is the forgotten inhabitant of "in-between land," for whom little or, at least, less has been done than for the juvenile.

They discuss the history and apparent success of the Brooklyn project and differentiate it from its forerunners in Chicago and Philadelphia. After two years of effort the successful termination of over 85 per cent of their cases is a truly remarkable achievement, entirely out of line with Glueck's analysis of the Boston Juvenile Court.

One thing stands out in this book, that is, the dependence of a "court" for minors on the social resources of its community. A court of law for adults relies upon its function as a court to accomplish its objects, to determine guilt and assess punishment, and it intentionally blinds itself to extraneous factors. The adolescent court, as does the juvenile court, must depend almost wholly on social and welfare agencies to carry out its recommendations. The question recurs: Is it then a court at all; does it rely upon the threat of drastic action? If not, is it more than a reference bureau or a social diagnostician?

On the whole, the book is as much an indictment of our urban society as it is proof of the value per se of the adolescent-court method. It contains an irresistible plea for a more humane and individualized approach to penal treatment. It treats penetratingly of the peculiar problems and situations affecting the adolescent. This reviewer would be inclined to blame the movies, the tabloids, and the radio rather more than do the authors. Their discussion of "cellar clubs," a live topic in New York City, is frank and helpful.

The illustrative cases are excellent. They should stimulate discussion by students and, what is more, they bear directly upon the matter under discussion. No one interested in community efforts at crime prevention and the problems of youth in our American cities should fail to read this volume.

BOYS' CLUBS OF AMERICA

SANFORD BATES

The American Prison System. By FRED E. HAYNES. New York City: McGraw-Hill Book Co., Inc., 1939. Pp. 373. \$4.00.

This study undertakes to review the development of what Professor Haynes calls the "American prison system," especially during the period of the last two decades. The purpose of the author is to "describe the types of existing institutions, their administration, their problems, and the methods used in the efforts to solve the difficulties involved in the punishment and reformation of criminals."

The first subject dealt with after an introductory summary is that of prison architecture; its history is traced by reference to the practices before the time of John Howard, the contributions of John Howard, Jeremy Bentham and his proposed Panopticon, Millbank, Pentonville, the Pennsylvania experiments, the Auburn cell block, and the French "telegraph-pole plan" and by a general discussion of the maximum security idea. This is followed by a description of the recent experiments at Lewisburg, Pennsylvania; at Wallkill, New York; and at Norfolk, Massachusetts, to which under the title "A Community Prison" a

whole chapter is devoted. A chapter each is devoted to "Reformatories for Women," "Reformatories for Men," "Minor Offenders," "Southern Penal Systems," and "Penal Administration." These chapters are followed by a discussion of special problems such as "Classification," "Health and Medical Service," "Education," "Inmate Organization," "Prison Labor," and then Professor Haynes discusses probation and parole as steps in the direction of abolishing the prison system, so that in those devices he finds a hope of better things.

Professor Haynes calls his book *The American Prison System*, but he is so up to date in the material he presents and so discriminating in his views of the development that is taking place that he makes perfectly clear the fact that there is no true system. We have forty-eight different approaches to the problem, and, while they are all characterized by certain common features of the law-enforcing administration and of the hideous prison remedy, there are really forty-eight diverse pathways by which an attempt is made to deal with the results of antisocial conduct.

Professor Haynes looks upon probation and parole as steps leading to the destruction of the system, and, of course, the great problem is how to get from where we are to the point at which treatment will have replaced public punishment, just as through the centuries we have been trying to substitute public punishment for private vengeance.

S. P. BRECKINRIDGE

UNIVERSITY OF CHICAGO

Federal Aid for Relief. By EDWARD A. WILLIAMS. ("Studies in History, Economics, and Public Law," No. 452.) New York: Columbia University Press, 1939. Pp. 269. \$3.25.

This study of federal relief is largely an account of F.E.R.A. policies and procedures written from the point of view of the F.E.R.A. administrators by a former member of the F.E.R.A. staff. Later the author joined the division in charge of statistics and economic research of W.P.A. The book, however, deals only with the F.E.R.A. section of federal relief. No attempt is made to cover the history or present program of W.P.A.

The first two-thirds of the present volume constitute a competent review of the organization of the F.E.R.A. and the development of the elaborate administrative machinery of that organization. The author apparently had access to the official F.E.R.A. files. The earlier book by Mr. Hopkins, *Spending To Save: The Complete Story of Relief*, covers much the same ground in a more sprightly and entertaining narrative.

The last two chapters of the book contain less accessible material. Here is an account of the administration's favorite method of dispensing grants-in-aid on a discretionary basis.

The author of this study defends the method of discretionary grants (frequently, in the opinion of many persons, anything but "discretionary") as a

method of equalization. But the reasons for his warm approval of such grants frequently have nothing to do with true equalization principles. For example, he thinks the administrator "could scarcely have played so important a part in shaping relief policy . . . had allocations continued on a non-discretionary basis" (p. 187). What, one wonders, has this to do with equalization?

The author thinks that "the F.E.R.A. was officially dedicated to the proposition that its function was to supply to states only that portion of their total relief requirements which they were unable to finance themselves" (p. 189). He sees the two difficult problems involved: (1) to determine in any accurate way how far each state was able to finance its relief program and (2) to determine how great the relief needs really were in each state. "The difference between each state's total relief needs and its ability to finance these needs constituted state need for federal funds, or the maximum sum which the federal agency would be willing to grant" (p. 189).

Dr. Williams finds many reasons for justifying the discontinuance of the use of subsection *b* of section 4 of the federal relief act of May, 1933, which based the allocation of half of the first \$500,000,000 of F.E.R.A. funds on a one-to-three matching basis. After October 1, 1933, it was possible to make all grants on a discretionary basis, but on October 4 Mr. Hopkins was lecturing Illinois and threatening to let the wolf in at the door unless a special session of the legislature provided more local funds for matching purposes. Then on November 11, 1933, Mr. Hopkins and the President summarily suspended the matching activities, and the administrator from then on, for many years, became an all-wise and all-powerful dispenser of public funds. The system of lecturing and threatening governors, legislatures, state relief commissions, and even congressmen and senators about the importance of each state's contributing its "fair share" toward meeting the cost of its relief program began early in the summer of 1933 and continued as long as the F.E.R.A. was in operation. But what was that fair share? It is clear from this latest defense of the F.E.R.A. system of making grants-in-aid that no one was ever able to answer that question satisfactorily.

Some very imposing lists are given of the information demanded from the states to enable the administrator to measure their financial resources, but the author explains quite naïvely that the information desired was not always available! The briefs, of course, "varied widely in the completeness of their presentation of the relevant facts. One brief might give little more than a narrative statement of the amounts which the state would be able to contribute. Another administrator would . . . attempt to give a fairly complete picture of the basic economic factors underlying his state's ability to raise funds . . ." (p. 197).

This account indicates that the assistant administrator in charge of relations with the states (Mr. Aubrey Williams?) was largely responsible for the "determination of the sum which was to be granted to each state." However, it appears that "in doubtful cases the Assistant Administrator consulted the Administrator before making a decision." We are told that the assistant administrator,

in making his decision, was also "influenced to some extent by the comments of the various divisions of the F.E.R.A. which reviewed the state applications and supporting papers. In the last analysis, however, the Assistant Administrator relied most heavily upon the opinions of the field representatives and his own personal contacts with the states. This was inevitable" (p. 198).

That is, the discretionary grants to the states were, in the end, not based on objective facts but on someone's personal opinion (with which many of us did not agree). Under this system of discretionary grants the personal equation overshadowed all the data that were supposed to enable the administrator to make the grants so equitably. We once accepted in our democracy the classic principle that this was a government of laws not men, but we have found in recent years that nearly five billions of the taxpayers' money can be spent without any established legal formulas by hop, skip, and jump, catch-as catch-can methods. The omniscient field agents knew the states that were "playing poor"; they knew, for example, why Nevada had to be given 97 per cent of all the relief funds when only 8 per cent of her families were on relief, and Utah given only 80 per cent although 21 per cent of her families were on relief.²

After making discretionary grants frequently without discretion for many long, weary, and very hungry months, a mathematical formula was finally worked out "in the fall of 1934." This was "in so far as possible" a "formula which could be used to measure roughly the respective ability of states to contribute to relief, and the proportion of a fixed national total which each state might reasonably be asked to raise for relief purposes during the year 1935." However, it was recognized that "pure economic capacity and immediate ability to raise funds are by no means the same thing"; and we are told that "the federal agency clearly realized the shortcomings of its formulas, and the state quotas were merely used as a basis for discussions between the Administrator and the various states." Finally, it appears that "absolute inability on the part of a government unit to finance a particular activity is, beyond question, a nebulous matter" (pp. 206-7). "No doubt some states could have supplied a considerably larger percentage of total funds than they actually did" (p. 222).

In 1934 Illinois was getting approximately 68 per cent of her relief bill paid by F.E.R.A. when she had 13 per cent of her families on relief; Wisconsin 79 per cent with 11 per cent on relief; Missouri 80 per cent with 11 per cent on relief; Nebraska 78 per cent with 9 per cent on relief; Kansas 73 per cent with 11 per cent on relief; North Carolina 99 per cent with 10 per cent on relief; Louisiana 98 per cent with 13 per cent on relief; Virginia 88 per cent with 7 per cent on relief; West Virginia 86 per cent with 19 per cent on relief, and so on and on.

The story of the F.E.R.A. "discretionary grants" needs to be told not from the point of view of the Washington administrators, who were trying some interesting experiments, but from the point of view of the harassed case workers, who saw the destitute families pay the cost when one state got less and some

² See this *Review*, IX (1935), 100.

other state got still less than enough to meet their needs. It was an interesting experiment to the experimenters, but heavy costs were paid in the uncertainty under which the various E.R.A.'s labored and the confusion caused by the recurrent relief crises that occurred in state after state, month after month, while hundreds of thousands of families watched the newspapers to learn what Mr. Harry Hopkins had decided they could or could not have for shoes, food, and fuel for the coming month.

The important question regarding discretionary grants was whether the method of an omniscient administrator, who supposedly was able by means of promises and threats to make each state contribute its "fair share," was a wise, stable, efficient administrative method. Many of those who watched the program carefully as innocent bystanders in this state or that are convinced that discretionary grants in the hands of a single administrator proved a dismal failure. A system of grants on a statutory basis would have met the needs in most of the states. A relatively small discretionary fund was needed, but such grants should be administered only on the basis of a public-hearing, a public record of the facts presented, a public review preferably by a quasi-judicial administrative commission with a public statement of the decision and the reasons for the decision.

This book provides a useful statement of the case for F.E.R.A. methods. But many of us will remain unconvinced.

EDITH ABBOTT

UNIVERSITY OF CHICAGO

The Public Works Administration. By JACK F. ISAKOFF. Urbana, Ill.: University of Illinois Press, 1938. Pp. 166. \$1.50.

This is the latest addition to the valuable "Illinois Studies in the Social Sciences." Its purpose is to present an objective and up-to-date account of the organization, functions, and policies of the Public Works Administration, and to offer some reflections on the future of this federal agency as well as on the lessons that may properly be drawn from its record, its experiences, and its achievements. No other study covers adequately the same ground and furnishes so much useful information for the guidance of experts, officials, and academic students of the complicated problem of public works construction as a palliative for economic ills.

The average citizen is hardly aware of the nature and number of the difficulties that faced the P.W.A.—difficulties due to the structure and form of our government, to the limitations found in the state constitutions, to the vagueness of certain provisions in the federal constitution, and to the inevitability of delays and wastes in any effort to secure effective co-operation between state and local governments, on the one hand, and a national emergency organization, on the other.

For example, although the leadership in providing, experimentally, decent

housing for low-income groups has been assumed by the federal government, rivalries, jealousies, lay obstruction, judicial intervention, and press opposition inspired by selfish and shortsighted interests have greatly hampered the authorities in charge of the housing program. Partisan and spoils politics in and out of Congress have been responsible for excessive costs of sound works projects. Few members of Congress are sincere friends of the merit system or of genuine economy.

On the whole, the P.W.A. has given a creditable account of itself. But its future is uncertain. It will depend mainly on the public attitude toward the whole spirit and philosophy of the New Deal. The sensible thing would be the reorganization and establishment of the P.W.A. on a permanent basis, to function with a skeleton staff during "normal" times—if we are to enjoy "normalcy" again—and with expanded forces and liberal appropriations during major depressions. Whether our conservative politicians will support so sane a proposal is doubtful. A vast amount of instructive experience in the projecting, financing, and construction of public works may be lost as the result of political jockeying and partisan maneuvering.

It is to be hoped that a good many members of Congress will find time for a careful and attentive perusal of this scientific study of a major feature of the New Deal and will profit by the pertinent observations and significant points made explicitly or by implication and, in passing, by Mr. Isakoff.

VICTOR S. YARROS

LEWIS INSTITUTE
CHICAGO

Labor Laws in Action. By JOHN B. ANDREWS. New York: Harper & Bros., 1938. Pp. xviii + 243. \$3.00.

In large measure the success of any form of legislation is dependent upon its administration. This is particularly true in the case of labor legislation. Increasing recognition of this fact is seen in the work of state labor departments and in the action of the federal Department of Labor in organizing, in recent years, national conferences of the states on labor legislation and enforcement where problems of administration procedure and techniques are discussed. Further evidence is the establishment of the Division of Labor Standards in the United States Department of Labor to assist in the development of adequate administrative standards for labor legislation.

Although there is a wealth of material in the United States on the subject of labor legislation, as yet little has been written on labor-law administration. The recently published study, *Labor Laws in Action*, by Dr. John B. Andrews is therefore of particular significance. Dr. Andrews has an exceptional background for writing a book of this nature from his many years as a student of industrial and labor problems, his work as secretary of the American Association of Labor Legislation, and his service on various national and international agencies dealing with labor legislation.

The title of the book—*Labor Laws in Action*—is taken from the definition of administration employed in *Principles of Labor Legislation* by Dr. Andrews and John R. Commons. In this the statement is made that "administration is legislation in action."

In stressing the importance of administration, the author states that the ability of government to extend and to improve legal regulation through labor laws is limited by its capacity to provide adequately for its administration:

For in labor legislation, as in all legislation, administration is the breath of life. With no provision for its administration, a good labor law is dead. With inadequate or ineffective administration, a strong labor law is weak and only partially operative. But when ably and wisely administered, a statute, even if defective, can often be made to serve a constructive social purpose. It is therefore difficult to overestimate the part played by departments of labor both in determining the results of existing laws and in influencing the course of future legislation.

The scope of the study is comprehensive, including, in addition to state and national administration, the administration of international legislation. One chapter is devoted to the British factory-inspection system; the major part of the volume, however, is devoted to administration and enforcement of labor legislation in the United States. Among the subjects discussed are state enforcing authorities, financing administration, official publications, American factory inspection, and mine safety inspection. An appendix listing state agencies for labor-law administration as of 1938 and an index add to the value of the publication.

The style is simple and direct. A great deal of technical information is presented in a readable form, making the book of interest to the average person as well as to the special student.

ETHEL M. JOHNSON

INTERNATIONAL LABOR ORGANIZATION
WASHINGTON OFFICE

Chapters in the History of Social Legislation in the United States to 1860.

By HENRY W. FARNAM. Edited by CLIVE DAY. Carnegie Institution of Washington, D.C., 1938. Pp. xx+496. \$2.75; paper, \$2.25.

This notable contribution of the late Henry W. Farnam to the social history of this country recalls the substantial impetus given to American economic research by the Carnegie research fund established in the first years of the present century. The Carnegie Institution was the forerunner of later methods of endowing research through the establishment of some of the best-known of the research foundations. In 1902 Carroll D. Wright, Henry W. Farnam, and John Bates Clark were asked to prepare a plan for the use of some large funds for economic research which Andrew Carnegie had recently established "to encourage in the broadest and most liberal manner investigation, research, and discovery, and the application of knowledge to the improvement of mankind." When the Carnegie

Institution of Washington was incorporated in 1904, the investigation of "historical rather than contemporary aspects of our economic life" was decided upon. Dr. Victor S. Clark, consultant in economics of the Library of Congress and chairman of the Board of Research Associates in American Economic History, contributes an important introductory note that reviews the efforts made by the late Professor Farnam and his distinguished associates of an earlier day to promote research undertakings by academic groups. The new Carnegie research funds gave valuable support to this movement in the early years of the present century.

The present volume is modestly called "chapters" in the history of social legislation. The chapters cover a wide field—land tenure and land policy, educational policy, slavery, abolition, and the Negro policy of northern states, and early labor and factory acts. There are, however, two notable omissions. First, the important subject of immigration legislation, including early federal steerage acts and state passenger and health laws relating to the admission of immigrants, is entirely omitted. The other important subject that is overlooked is the new social welfare legislation, not only the state poor laws but the development of state aid for special classes—the insane, the deaf, the blind, the feeble-minded, the attempts to remove children from the poorhouses, and special provision for delinquent children. The names of great reformers like Dorothea Dix and Samuel Gridley Howe are not mentioned. But the volume is a valuable contribution to our economic history, and any suggestion of omission is made because the author has carried out his research on a scale so wide that the reader feels that he may ask why it was not still broader. Certainly every reader, particularly every student, will appreciate this latest contribution to the Carnegie series.

E. A.

Private Charity in England, 1747-1757. By W. S. LEWIS and RALPH M. WILLIAMS. New Haven: Yale University Press, 1938. Pp. xv+132. \$2.00.

Not many contributions to the study of English philanthropy have been made by American scholars, and the present one is a by-product of the authors' interest in other phases of English history. Here one aspect of private charity in the eighteenth century, as it is revealed by a canvass of contemporary journals and magazines, has been singled out for attention. The choice of the period 1747-57 was made not by reason of any special significance these years held for English philanthropy but because the authors were interested in this period for other reasons and because the Yale University Library, where the research was carried on, happened to have good runs of certain news-periodicals published at this time.

The particular aspect of charity selected for study has been "the charity given by private individuals to other private individuals mostly unknown to

them," rather than the activities of the voluntary associations and institutions, the growth of which is usually regarded as one of the distinctive features of philanthropy during the eighteenth century. The range of this individual beneficence is a wide one, both in the nature of the gifts that were made and in the categories of need that they were intended to meet. In addition to outright gifts of money, food, and clothing there were the donations of artists and the clergy in the form of pictures, dramatic and musical performances, and charity sermons. The contributions of Handel and Hogarth to the Foundling Hospital are well-known instances of this type of individual philanthropy.

The authors say that "almost every conceivable class and condition of person received assistance from the widespread charity of the eighteenth century," and the question may be asked why so many of the people whom they list and for whom general provision was made under the poor law—widows, orphans, the aged, and the sick, for example—were forced to rely upon private charity. No explanation of this is given in the book, but the answer undoubtedly is to be found in the fact that this was a period when the poor law was extremely harsh and deterrent. The Workhouse Test Act of 1723 practically abolished "outdoor" relief, and only the most miserable and helpless could be driven to seek refuge in the awful poor law institutions.

Perhaps the most prominent single group of recipients were the "poor distressed debtors" in the Fleet, Newgate, and other London prisons of the day, which is not surprising since the movements for prison reform and abolishment of imprisonment for debt did not get under way until after the end of this period. Here the assistance given might be in the form of a legacy left for the purpose of securing the discharge of a certain number of prisoners, but more often it was just the casual alms left in the prisoners' begging-box. The following extract from the *Daily Advertiser* is typical of the latter:

Newgate, Dec. 12 [1748].—We poor unfortunate Debtors on the Common Side return our sincere Thanks to a generous Benefactor, for Half a Guinea put into the Begging-Box on Saturday last, in a paper mar'k E. D. which was equally divided to our inexpressible Comfort, being very numerous and daily increasing; so that was it not for worth and well disposed Christians, we must become a Sacrifice in this dismal and loathesome Gaol. . . .

The value of the book lies in the interesting documentary material which is gathered from sources difficult of general access. The discussion of this material is for the most part brief and inconclusive; however, more should scarcely be expected in view of the authors' disarming admission that they are "neophytes" in the field. A person more familiar with the long sweep of English philanthropy might have produced a work of greater usefulness to the student of the subject by relating this one aspect of private charity to other existing provisions, both private and public.

JAMES BROWN IV

UNIVERSITY OF CHICAGO

Common Sense in Idealism: "The Only Way to Prosperity with Freedom."

By HJALMAR RUTZEBECK. Detroit, Mich.: Builders of a Better America (P.O. Box 725, Detroit, Mich.), 1938. Pp. 124.

This book has been written to throw a clear light on one phase of our unsatisfactory condition—that of unemployment and relief. It points the way towards a usable, practical solution of these. It shows how those who have lost out in the competitive world may continue to earn their living enjoyably, acceptably, usefully to the rest of society.

Thus in his very apt Preface the author himself best summarizes his book. For a "clear light" it is.

Our widespread educational systems, our public libraries, streets, sewer systems, highways, and in many instances municipal utilities he cites as monumental achievements in pooling of resources and co-operation.

Individual efforts in many instances of recent years have not survived the depression. "Need drove people 'cooperative-ward.'" Because of a lack of knowledge of practical procedures, some of these co-operative efforts have failed also.

Common Sense in Idealism is a concise, clear-cut statement of the necessity for, and the development of, various types of co-operatives. In great detail, step by step, it explains how to form a reciprocal-economy co-operative and, with a wealth of interesting and practical examples, it outlines its operation and development. It is an "authentic guide." Hjalmar Rutzebeck speaks with an authority based upon ten years of successful experience in the Santa Barbara Co-operative. He has served as co-operative specialist on the joint committee on self-help of the F.E.R.A. and is the author of *Reciprocal Economy* and also *Ten Principles of Government*.

"Reciprocal economy as an alternative for relief" may sound visionary. He feels that, with practical leaders and volunteers truly interested in the welfare of the group, it will be successful. Actual experience has proved that "through participation the people find out that they themselves are not outcasts at all from the social structure they have grown up in, but are an integral part of it, a valuable rehabilitating force, accomplishing a great deal of good."

As long as money is the fixed medium of exchange, and since "points" earned through labor cannot be turned into money, he acknowledges the fact that people with cash obligations such as taxes must necessarily accept any job which pays a cash wage and that this may cause a heavy labor turnover.

Admitting the many problems involved, he outlines the practical work that must be faced by a co-operative economy—the establishment of its own extractive industries, the cultivation of good-will with the existing system of competitive buying and selling, and other suggestions born of his experience.

In summarizing he compares reciprocal economy to a "balance wheel" to trade and he feels that it is the "key to prosperity, good-will among men, and peace among nations."

As we look upon the world which other theories of economy have produced, we feel that any such sincere approach to practical ways of another type of economy is well worthy of study.

CHICAGO COMMONS

LEA D. TAYLOR

Politics and Public Service: A Discussion of the Civic Art in America.

By LEONARD D. WHITE AND T. V. SMITH. New York: Harper & Bros., 1939. Pp. 361. \$3.00.

In this distinctly unusual book—unusual in style and in manner, though not in matter or substance—two distinguished members of the faculty of the University of Chicago, one a former commissioner of civil service and the other a former state senator and a member of the present federal Congress, discuss the following very practical and important questions: Is the patronage or spoils system wholly evil? If it were abandoned in favor of the merit system of appointments, to what extent would the administration of public affairs benefit, and would there be any appreciable loss in any respect?

The discussion as carried on is not dry, academic, or abstract. It draws upon ample experience; it never loses sight of reality as apprehended by psychologists and philosophers, and it does not forget John Morley's admonition to statesmen—not to expect too much of average human nature and not to insist upon the best from government, but to take cheerfully the second or even third best.

Some persons may object to the elements of poetry and whimsicality in the book, but the majority of the potential lay or "general" readers of a volume of this sort will not share that attitude. The argument does not suffer from the authors' seasoning and sugar-coating.

The conclusions arrived at by the authors are not strikingly novel or radical. We must beware of the habits, traditions, and fears of a powerful bureaucracy. Efficiency and economy are fine and desirable things, but secure and entrenched bureaucrats often mistake their own vested interests for the permanent interest of the public. Bureaucracy has been bitterly opposed to intelligent reconstruction of the federal government. The typical bureaucrat is not only not genuinely democratic; he has little or no comprehension of the role of the elected public servant or politician or statesman, and he is likely to develop a sneaking admiration for fascism.

The politician, on the other hand, who is indispensable in a democracy, because he of necessity cultivates and applies the art of compromise—and all government resting on consent is compromise—is likely to underrate the need and value of efficiency and economy. He wants plenty of patronage and has stubbornly fought the advance of the merit system. He has been defeated again and again but he has not had any change of heart. He sabotages the merit system wherever he gets a chance. The "temporary appointments"

scandals are notorious. The exemptions from the merit principle are far too numerous. Examinations are farcical or antiquated, and preferences for veterans are excessive. The tendencies today, on the whole, favor the merit system. It is bound to expand and improve; the new social welfare legislation, radio and television, the spread of civil service unions and pension systems—these things militate against the spoils plan. But we cannot expect rapid and sudden curtailment of the spoils area. We must give the politician his due and recognize the good aspects of patronage under the party system and the popular conception of democracy.

The authors plead for readjustment and for friendly, patient co-operation between the administrator and the politician. "Live and Let Live" and "Give and Take" are the slogans. But the spoils system will have to give more, much more in some spheres, than the administrator. The benefits of patronage have been overestimated. Recent gains by states and cities under advanced merit systems prove that beyond doubt. The sincere politicians can get along with very little patronage—and should.

The book touches incidentally upon the ideologies of fascism and communism and compares the claims of these systems with the results achieved by them in practice. The notion that democratic government is wasteful, slow, and ineffectual at best is challenged and refuted.

The deeper and more philosophical remarks and reflections liberally strewn through the book, and particularly in the dialogues, are certainly to be enjoyed and appreciated by thoughtful readers. Pedants and dogmatists may not relish any part of it. It is mature and reasonable.

VICTOR S. YARROS

LEWIS INSTITUTE

BRIEF NOTICES

The Relieving Officers' Handbook. New ed. London: Hadden, Best & Co., 1938. Pp. 480. 15s.

This revised (seventh) edition of a standard reference book for England's public relief visitors, officially called "relieving officers," deals with the legal provisions for public aid which the "R.O.'s" must know adequately. It is described as "a complete and practical guide to the law relating to the powers, duties, and liabilities of relieving officers." The legalistic character of the English public assistance services is clearly shown in this book. Instead of using social workers who are university graduates with special professional training, the English system accepts a person who has the educational qualifications of a good clerk and then lets him learn "on the job" and by careful study of legal summaries, such as this, become familiar with what the law permits in the way of public aid. He knows the legal provisions under which poor relief is given, but he knows nothing of case-work services or public welfare principles.

New material included in this seventh edition deals chiefly with recent Acts of Parliament such as the Public Health Act, 1936, the Blind Persons Act, 1938, and the

consolidated statutes relating to National Health Insurance and widows' and orphans' pensions. The fact that this volume is now in its seventh edition indicates that it has served a useful purpose.

E. A.

Dr. Bradley Remembers. By FRANCIS BRETT YOUNG. New York: Reynal & Hitchcock, 1938. Pp. 522. \$2.50.

The *Review* rarely finds space for a review of a novel of any kind, but this new story by the author of *My Brother Jonathan* and the *Young Physician* is really a timely argument for health insurance. With an English physician the hero, the book is dedicated by Dr. Young to Mr. Lloyd George, because his Health Insurance Act "gave greater dignity and security to the General Practitioner in 1913." The book is, therefore, of special interest to social workers.

The story opens on the day that Dr. Bradley has set to turn over to a young physician a general practice which he has built up and held among the inhabitants of the village of Sedgebury during a period of half a century. After the last "surgery" is over he sits by the fire in his dismantled living-room, reliving for the reader his personal and professional life.

His professional life began with an apprenticeship to the local "bonesetter" at the age of fourteen, continued through his medical education and many years of faithful service to the low-paid workmen of Sedgebury. He lived to see the transition from a period in which medical care had been guaranteed only to a small number of workers through the voluntary health-insurance plans of the friendly societies to a period when the state guaranteed medical care and cash benefits during illness to virtually all his employed patients.

Dr. Bradley, who had the gift of understanding his patients' emotions and feelings as well as their bodies, was one of the small minority of doctors who favored the Liberal measure of 1911 providing health, invalidity, and unemployment insurance. The bitter fight between the government and the British Medical Association over this early social-insurance law is told in the later chapters of the book as it was experienced by Dr. Bradley. He was ostracized by his colleagues and accused of being a "blackleg" or "strikebreaker," but alone with Mr. Lloyd George he ultimately triumphed. With the perspective of old age he could see clearly how much the success of the measure had meant to his own security as well as to the welfare of his patients.

The transition of the little village of Sedgebury into a highly industrialized coal-mining community and the many vicissitudes of such industrial development as they were reflected in the lives of the people furnish a backdrop for the story.

There are glimpses of hospital wards and operating theaters before and after antiseptics and mention of other remarkable developments in medical science and education to add further interest.

Dr. Young is thoroughly conversant with the lives of the people of whom he writes. He tells a good story in a style which, although a little repetitious, is vivid and clear.

GRACE A. BROWNING

Crime and Punishment in Early Maryland. By RAPHAEL SEMMES. Baltimore, Md.: Johns Hopkins Press, 1938. Pp. 334. \$3.00.

This is an interesting account of the course of the "majesty of the law" in Colonial days—the story of trial, punishment, and imprisonment in the days when prisons de-

tained servants who ran away from their masters. Conditions were so filthy as to be repulsive. "There was no fireplace and probably straw was all the prisoners had to sleep on. Some of the more serious offenders were kept in irons. One woman in a petition to the governor said that she had been so long in prison that all her clothes were worn out and as a result she was in 'great distress.' She asked that either she might be brought to a 'speedy trial,' or else some provision should be made to clothe her. Her husband was compelled by the provincial court to furnish her clothing. In another petition to the governor, a man, suspected of murder, informed his Lordship that he had 'long lain in prison in a miserable condition'" (p. 37).

Sheriffs collected fees from prisoners instead of being paid a salary by the public authority. A sheriff, for example, could make a man pay twenty pounds of tobacco for each day he was kept in prison, and the man must pay the sheriff fifty pounds for inflicting corporal punishment upon him. "The county commissioners said that criminals should be compelled to pay the cost of their own imprisonment, otherwise it was 'an encouragement of offenders.' . . . A man must indeed have been in wretched circumstances if life in one of the jails seemed attractive" (p. 37).

Early methods of punishment required the provision of a pair of stocks, a pillory, and a whipping post, and all county justices were expected to provide irons for branding or "burning" the malefactors. "One iron was to be marked with the letter 'H,' probably for hog stealers, and another with the letter 'R,' possibly for runaway servants. The judges of the provincial court at this time also instructed the sheriffs of every county to provide two irons, one with the letter 'M' and the other with the letter 'T.' Probably these irons were to be used to brand murderers and thieves" (p. 35).

One of the most interesting chapters deals with the heinous crime of that day, "live-stock and hog stealing." In 1662 a statute was passed which provided that if anyone were convicted of hog stealing a "second time he would have the letter 'H' burned on his shoulder with a red-hot iron. Every county court was to be provided with the necessary iron."

Another chapter with a great deal of new material deals with sickness and surgery. The early forms of medical treatment, the lack of medical care, and the attempted provision of medical care are all dealt with through the litigation that arose out of the early regulations.

The Rise of New York Port. By ROBERT GREENHALGH ALBION with the collaboration of JENNIE BARNES POPE. New York: Charles Scribner's Sons, 1939. Pp. xiv+485. \$3.75.

This story of the growth of the chief American seaport and metropolis is an interesting piece of research. There is at least one chapter of special interest to social workers—the one called "Human Freight." This is the story of the great immigrant invasion between the close of the Napoleonic wars in 1815 and the period of the Civil War. While the present volume does not add new material to a story that has been told before, this chapter on the immigrant-carrying trade shares with the rest of the book the quality of being very readable. There are some especially interesting illustrations all through the volume.

Medieval Panorama. By G. G. COULTON. London: Cambridge University Press, 1938. Pp. xiv+801. 15s.

This great medieval panorama might seem to be too remote from modern social work to justify notice in this *Review*, but here are the beginnings of many of our social problems. Here is the Black Death which led to attempts to control alms-giving six hundred years ago; here is the picture of the agrarian problems and evictions of the sixteenth century; here is the worker as he lived and struggled against incredibly heavy odds. The vast picture is in truth a panorama—almost “an allegory of human evolution”—a picture black with struggle, where the disinherited seem to move forward toward something they themselves did not fully understand but reaching, by an almost instinctive struggle, “a slow and certain advance toward freedom.”

It is a thrilling series of narratives based on the author's rare scholarship and gift of exposition.

A Study in English Local Authority Finance. By JOSEPH SYKES. London: P. S. King, 1939. Pp. viii+307. 12s.

English students have been responsible for more research in the important subject of local government than have American students. The present volume is a useful study of local-government finance, covering such subjects as poor relief, health, education, housing policy, and certain other subjects. There has been an increase in local authority expenditure (1919-35), and there is a helpful analysis of the extent to which this was caused by the remarkable development of exchequer grants during this period.

It is interesting that one of the reasons for the greater numbers given poor relief in the post-war period is attributed in part to the “more generous treatment of both the outdoor and indoor poor” as well as to “administrative leniency and even sheer laxity.” Considering the prolonged sufferings of the British unemployed it would not seem to be amiss to have a little leniency and even “sheer laxity” in getting the people fed.

Europe Re-housed. By ELIZABETH DENBY. New York: W. W. Norton & Co., 1938. Pp. 284. \$3.50.

This will be a useful volume to those who can give the time to learn something of the work that such countries as Germany, Sweden, Austria, Italy, and France have done to solve the housing problem. The author assembled information in these countries from both housing authorities and tenants. The book, with numerous illustrations, is not only interesting but presents useful material for an understanding of practical housing problems. There are plans, maps, and other graphic material as well as illustrations. Since housing has become a matter of such immediate public concern, this work should be of the greatest value not only to architects and housing experts but to everyone who realizes that the providing of adequate shelter for our citizens is necessary to the well-being of our cities and of our basic industries.

Professor Gropius, chairman of the department of architecture of Harvard University, contributes an Introduction. The author had eight years' experience in the London program of slum clearance and re-housing and made the Continental studies as a Leverhulme fellow.

REVIEWS OF GOVERNMENT REPORTS AND PUBLIC DOCUMENTS

Department of Public Works—Amending Social Security Act. Hearings before the Special Committee To Investigate Unemployment and Relief, United States Senate, Seventy-sixth Congress, First Session, on S. 1265, February 24 to March 10, 1939. Washington, D.C.: Government Printing Office, 1939. Pp. iii+333.

The first instalment of hearings before the Byrnes Committee will be read with interest. Important witnesses were the Secretary of Labor, the Secretary of the Interior, the chairman of the Social Security Board, and the director of research and statistics in the Social Security Board. The testimony of these important witnesses and of various unofficial statements cannot be reviewed in detail. Of chief interest, perhaps, to our readers is the testimony of Secretary Perkins and the testimony of Chairman Arthur Altmeyer, both of whom dealt with problems of unemployment compensation and the question of the removal of the Federal Employment Service from the Department of Labor to the Social Security Board. This service has been in the Labor Department for more than twenty years; and there has always been a close relationship between this service and the other activities of the Labor Department. It has, however, now been taken from the Department of Labor and placed with the Social Security Board in the new federal Social Security Agency, but the pros and cons presented here are important.

It is encouraging that the Secretary of Labor testified that the unemployment compensation program, "one of the most difficult and untried fields for this country," had been "very ably and successfully administered."

The system of unemployment compensation as we have it in our laws is quite complicated and quite difficult, and undoubtedly it needs some simplification. I think those of us who were interested in it at the time it passed realized that it would need simplification from time to time as we became more familiar with it.

Simplified methods of carrying on unemployment compensation, particularly bookkeeping methods, as Miss Perkins suggests, will come only with experience. Bookkeeping techniques must be reduced to a minimum. Accountants, she points out, always set up "elaborate systems because they are so anxious to protect everything." Workmen themselves should have "some direct way of knowing what they are entitled to in the way of unemployment compensation at any particular period of unemployment." Administration would be greatly simplified if the workers could figure this out for themselves "without having to rely too much upon bookkeeping at the main office."

The Secretary points out, however, that the problem of simplification would not be solved by any unification of the public employment service and the unemployment compensation administration. She explained her theory that those who "do not see employment offices in operation all of the time do not always realize that the Employment Service is not an agency of relief and it is not an agency of compensation insurance," although it tries "to find work for the people on relief and so reduce the relief, and also the length of time necessary for a man to remain on compensation." But the Employment Service also finds work for the total general working population—40-50 per cent of whom "are neither on relief nor receive compensation and for whom the Public Employment Service in many places is the only way of finding a new working connection when an old one has broken, or finding a job better adapted for the individual who is already on one job." That is, the Public Employment Service has "a very serious function to perform for the people who are self-sustaining but unemployed."

The Public Employment Service should also make "intensive continuing studies of job possibilities for the recipients of compensation as well as for recipients of relief, discovering secondary skills and so widening the opportunity for placement for these people." The Service should do the same thing for the "hard-to-place among the unemployed," regular workers who are neither on compensation nor on relief. It should study the local labor markets and local industries "with a view to assisting both employers and workers in plans to stabilize and regularize working opportunities in the locality and so prevent unemployment and all the costs of compensation and relief." The Service provides for constant local inventories of jobs and workers and interchanges these with other localities and even with other states.

The public employment services in the states are located in the Department of Labor, and the integral relationship between the employment service and other parts of the Department of Labor in the states or federal government has become very well established.

The work of the service is perhaps unequalled in importance among the total responsibilities of the United States Department of Labor, since unemployment is still a most serious problem confronting the country. Not the mere care of the unemployed is involved, but the actual prevention or mitigation of unemployment. Regularizing of work and production, as well as bringing men and job openings together, is a serious responsibility; and an extended production will be necessary, with the full co-operation of labor, the manufacturer, and the Government functioning through these employment services which in the localities are in direct and practical touch with both the industries and the people.

Miss Perkins is probably right in saying that "ideally it would have been a good thing . . . if Unemployment Compensation could have been put in the Department of Labor" and programs developed in full co-ordination with the Employment Service. But that was not done, and the problem has been how "to get an equally well-co-ordinated system."

It is, of course, well known that the British unemployment insurance system and the employment exchanges were both placed in the British Labor Department in 1908-11.

The Byrnes Committee, therefore, had to consider whether the unemployment compensation system should be moved from the Social Security Board to Labor or whether the Federal Employment Service should move from Labor to Social Security. "Labor people generally feel rather keenly that the unemployment compensation function should be placed in the Labor Department." However, the two services are not equal: "the scope of the Employment Service is larger, although the moneys handled by the Unemployment Compensation Service are greater." Miss Perkins explained the problem of trying to get a "full and complete co-ordination" of the two services when they were in different departments. The Social Security Board has had rather large funds to distribute to the states for the maintenance of the expansion in the employment service made necessary by the new unemployment compensation services. Ideally these funds would have been intrusted to the Labor Department for allocation to the states, as funds for child welfare services are intrusted to the Children's Bureau. The Social Security Board preferred to allocate the funds directly to the states, and this has created some problems. Miss Perkins points out that there is

a place where confusion and some conflicts arise, as there are three agencies involved in deciding how much money shall be spent and the conditions under which it shall be spent in a particular State—the State itself, the Bureau of Unemployment Compensation of the Social Security Board, and the United States Department of Labor and with those three different points of view it is not always possible to come quickly to an agreement. But many times they do come to an agreement rather promptly.

Mr. Altmeyer, chairman of the Social Security Board, testified on various important subjects, such as proposed amendments to the Social Security Act, including those relating to unemployment compensation, old age assistance, aid to dependent children, old age benefits. The scope of Chairman Altmeyer's testimony was too broad to enable us to deal with it in any detail.

Improving the standards of state welfare and public assistance personnel was one of the interesting subjects covered by Mr. Altmeyer. As the Social Security Act now stands, the Social Security Board not only provides one-half the allowances granted the aged and the blind under approved state programs and one-third of the grants to dependent children but provides a good share of the costs of administering both the assistance and unemployment compensation schemes and yet is without authority to pass upon the selection, tenure of office, or compensation of state personnel. In Mr. Altmeyer's opinion this is an anomaly, and he strongly favors the inclusion of the amendment to the Social Security Act requiring state workers to be appointed on a merit basis. Proper administration can take place only if each state is required to set up a merit system of selection and appointment of personnel. This means not that the Social Security Board would pass upon individual cases but that it would

approve the provisions for the giving of examinations, the classification of salaries, regulations with reference to promotion, transfer, demotion, and so forth.

With regard to the proposed merging of the Bureau of Unemployment Compensation and the United States Employment Service, Mr. Altmyer pronounced this a sound and almost universal procedure. All the states, with the exception of Alabama—and a change was contemplated there—have co-ordinated unemployment compensation and placement service, as have all the European countries. Mr. Altmyer was convinced that proper integration could not come about unless "some over-all agency in the Federal Government has administrative responsibility for both." Unfortunately, this has finally come to mean a merger outside of the Labor Department, where both services have properly belonged in the federal, as in the state, administration.

Other subjects less fully discussed were the probable costs of the more liberalized program, present costs, and the need for increasing the federal government's share of administrative costs if adequate services and equitable treatment of those in need is to be given.

These hearings are important and deserve to be widely read.

E. A.

The New York State Program for Non-settled Persons. By PHILIP E. RYAN. New York State Department of Social Welfare, 1939. Pp. 96.

Since July 1, 1937, the state of New York has been responsible for the relief and care of persons who do not have a settlement in any city or town in that state. This useful report, which examines the working of this provision in the 1937 law, is based on a study that was apparently undertaken in preparation for the expected influx of persons without settlement who may be stranded in New York as a result of the World's Fair.

Mr. Ryan reviews the history of the special group of "state poor"—i.e., persons without settlement—who were given almshouse care by the act of 1873. By the act of 1909 only persons who had resided less than sixty days in any county were cared for as state poor, leaving other nonresident poor to the counties. An amendment to the New York Public Welfare Act became necessary in 1937 as a result of the breakdown in transient care with the collapse of the F.E.R.A.

When the Federal transient program was terminated, there were in New York State many non-settled persons for whom the localities could not, because of financial limitations, assume responsibility. Because the State could not stand by and see these people suffer, a program was worked out which was incorporated into the public welfare law in the spring of 1937, extending a former limited program to include all non-settled persons [p. 79].

Settlement is acquired in New York after one year's residence in a town or city without receiving public aid. Under the 1937 law, the state is responsible for all "non-settled" persons who are residing in New York State. This "state

charge" group receives the same kind of care as others in the community who are in need; that is, the fact that a person is "non-settled" does not prevent his receiving some relief or other forms of public assistance, such as old age or blind assistance or aid to dependent children.

The state-charge provision is administered under the supervision of a director of public assistance (state charges) by special state-charge workers in different sections of the state who may approve or disapprove accepting the cases assigned as state charges by local welfare workers.

It is interesting that the "transient" groups are usually not "state charges" because of the difficulty of securing the evidence as to settlement.

The report perhaps overemphasizes the "more favorable conditions in New York State." As a matter of fact, there are western states like California, Colorado, and Arizona, where the "more favorable conditions" have attracted proportionally much larger numbers.

There are careful state "rules and regulations" requiring the verification of non-settlement status before the state will grant the 100 per cent reimbursement to the localities for aid given to this group. If the non-settled status cannot be verified, the local commissioners of public welfare continue to be responsible for the care of this group but receive only the usual 40 per cent reimbursement that is given for the local group.

It is hard to follow and impossible to accept Mr. Ryan's theory that, although "settlement laws have been subject to severe criticism as harsh, unjust, futile and administratively costly, they do serve a useful purpose." He suggests that by means of [the settlement provisions] some governmental responsibility for assistance to dependent persons is established; without them the system of "passing on" might well be extended to persons now considered a local responsibility. If they were totally abolished certain areas of attraction might well suffer an undue burden of relief costs which would tend to develop an even more unsocial system than that charged to Settlement Laws.

Is Mr. Ryan not mistaken in his statement that "by means of" the settlement laws some governmental assistance to dependent persons is established? The public welfare law in New York established the responsibility of the local and state governments for the care of persons in need. The settlement provisions of the law restrict this responsibility to the care of one group of such persons. Mr. Ryan's legal interpretation of the settlement law as "establishing responsibility" is perhaps confused.

The necessity for federal participation in the care of non-settled persons, whether transients or not, is emphasized. It seems almost incredible as we look back on those months of 1935 when the President and Mr. Hopkins were preparing to withdraw from "this business of relief" and pulled the F.E.R.A. down like a house of cards that they could have shown no concern about this serious problem in the solving of which federal aid had been shown to be so necessary. Commissioner Adie of the Department of Social Welfare emphasizes this point in his "Foreword":

The only satisfactory basis upon which this program can be carried forward rests upon the joint action and responsibility of the federal, State and local governments. No single state can long afford to carry this burden. Additional evidence must be forthcoming from other states at an early date, to make clear to the federal government that the care of the non-settled persons and the transient is definitely an inter-state problem, the responsibility for which rests squarely upon Washington.

E. A.

Five Years of Rural Relief. By WALLER WYNNE, JR. (W.P.A. Division of Social Research.) Washington, D.C.: Government Printing Office, 1938. Pp. xiii+160.

In the last three years the Division of Social Research of W.P.A. has published fifteen research monographs and eight special reports. The quality of these studies is in general better than the quality of the research reports prepared by the earlier federal relief agency—the F.E.R.A. Moreover, the improvement has been progressive. The later publications of the W.P.A. are better than the earlier ones. The present special report, for example, bears all the earmarks of a careful and competent piece of research. The outstanding contrast between this study and one or two of the earlier ones is that *Five Years of Rural Relief* was obviously planned in advance with great care and skill and that those who wrote the report were thoroughly familiar with the data upon which it is based.

The study meets a real need. Information relative to the trend in urban relief has been available for some time, thanks to the pioneer work of the United States Children's Bureau.¹ The present report complements the urban series by setting forth the picture of the relief experience in rural and town areas. The figures were obtained from 385 political subdivisions in thirty-six states. New England is represented in the sample by forty townships in Connecticut and twenty-three in Massachusetts, all of which have less than five thousand population. Elsewhere in the country the figures were obtained from counties, none of which contained in 1930 a city of twenty-five thousand or more inhabitants.

In the four years 1932-35, noncategorical relief—or “public general assistance,” to use the somewhat cumbersome terminology of the report—accounted for from 68 to 92 per cent of the total aid given in rural and town areas. In 1936, when federal grants for direct relief were discontinued and funds for the social-security categories were made available, aid to the aged, to the blind, and to dependent children became the most important form of assistance, accounting in that year for 45 per cent of the total. The figures strongly suggest the inadequacy of funds for home relief in rural and town areas. If the sample is trustworthy, total expenditures in the entire country for home relief in towns and in the open country were only \$81,000,000 in 1936. In the same year relief

¹ Emma A. Winslow, *Trends in Different Types of Public and Private Relief in Urban Areas, 1929-35* (U.S. Children's Bureau Publication 237; Washington, D.C., 1937).

expenditures in one single urban county (Cook County, Ill.) were roughly \$36,000,000. As the report itself points out (p. 5), in the year ended June, 1936, rural-town relief represented only 23 per cent of the total relief expenditure, though rural-town population accounted for 46 per cent of the people in the nation.

In the field of categorical relief, aid to dependent children was in 1932 by far the most important of the three programs, representing about three-fifths of all categorical expenditures. By 1936, however, expenditures for children were only 12 per cent of the total as compared with 85 per cent devoted to aid to the aged. More than half of all the money spent on these three services in the five-year period was dispensed in the single year 1936. The meteoric rise of old age assistance following the enactment of the Social Security Act is therefore the explanation of the declining importance of mothers' assistance in the total. In terms of absolute amounts, aid to dependent children actually increased from \$7,586,000 in 1932 to \$11,004,000 in 1936.

Data relative to the emergency grants made by the Resettlement Administration cover only the fourteen months from November, 1935, through December, 1936. If these months are typical, the behavior both of cases and of grants conforms closely to the familiar pattern in all relief agencies, with peaks in the winter months and very sharp declines at the advent of summer. In the peak month of this period (January, 1936) Resettlement emergency grants amounted to \$2,834,000, or 17 per cent of all relief granted in that month. More than two-thirds of this sum was allocated to nine drought states in the Great Plains area. Thus in some states the larger half of the relief program was in certain months under the control of the Department of Agriculture—a situation that raises several interesting administrative questions.

The figures show that private agency programs are characteristically an urban phenomenon. In the five-year period the relief expenditures of private agencies in rural-town areas amounted to only \$9,272,000. Moreover, most of these sums were spent in towns rather than in the open country. In each of the five years, from 70 to 80 per cent of the annual expenditures for this type of assistance were made in counties containing from 5,000 to 25,000 population. Private relief as a percentage of total relief varied from 2.8 per cent of the total in 1932 to 0.4 per cent in 1934 and 1935.

The data relative to expenditures are more reliable than the figures concerning case loads. Duplications of households receiving two types of aid from one agency have been eliminated from the series, but families receiving aid from two or more different agencies in the same month enter into the totals more than once. Under present circumstances such duplications may be inevitable for some time to come, but they are unfortunate since they affect the figures on average relief per case. The derived figures appear, nevertheless, to be sufficiently accurate to establish the substandard levels of rural-town relief.

W. McM.

The Road Upward: Three Hundred Years of Public Welfare in New York State. By DAVID M. SCHNEIDER and ALBERT DEUTSCH. ("Social Welfare Today in New York," No. 1.) New York State Department of Social Welfare, 1939. Pp. 59. \$0.10.

This is the first in a new series of popular publications to be issued by the New York State Department of Social Welfare, describing the development and activities of the public social services. The authors have prepared an interesting pamphlet that will be especially useful to those who believe in the importance of studying the historical development of important social welfare policies. Here is a picture of the time (1716) when a neglected orphan child was described as having "no certain place of abode there, but lives like a vagabond and at a loose end," and it is an interesting story to know what has happened to children like this from the earliest days to the present time. The story of the New York social welfare program is interesting and important. Here is a brief readable account of the history of that program.

STATE REPORTS

Annual Report of the Alabama State Department of Public Welfare, for the Fiscal Year October 1, 1937, through September 30, 1938. Montgomery, 1938. Pp. 172.

This third *Report* is an important contribution to public welfare development. It is significant, among other reasons, for the clear recognition of a continuing public responsibility for the protection and advancement of human welfare. Alabama's amazing progress in the acceptance of this obligation must be viewed not only against a background of experience in legal service to children and state-wide emergency relief, but also as a dynamic consequence of sound principles of public welfare administration, made effective through the maintenance of high personnel standards.

The organization of the *Report* shows a high degree of co-ordination and correlation of services, implemented by the relationships between the local units of administration and the state and federal agencies. In addition to the scope and nature of services rendered, it focuses thought upon the extent of human waste due to the "meagerness of protection now offered against the hazards of dependency and destitution," and urges increased participation by the federal government in all aspects of the program.

In spite of a sound legal and organizational framework, maximum expansion has been curtailed by financial limitations—which were particularly revealed during the fiscal year covered by the *Report*—during which the department of public welfare was confronted with a second major depression creating emergencies it was not prepared to administer and finance.

In the light of this marked deficiency, an outstanding part of the year's

accomplishments has been the establishment of closer relationships between local public welfare and finance boards. Realization of the importance of public finance is exhibited in the chapter entitled "Financing the Public Welfare Program," which contains information on state and local sources of revenue, basis of participation, and state and county budgets. The *Report* stresses the necessity of increased and stabilized appropriations as a means of better meeting responsibilities delegated to the department.

The excellent financial statements and statistical tables give a comprehensive interpretation of all aspects of the program, including services to all groups, financial assistance, and detailed accounts of all receipts and expenditures. These data are compiled and presented to facilitate comparison from year to year. This important *Report* is a challenge to the people of Alabama and a document worthy of study by all new state agencies.

M. BRANSCOMBE

UNIVERSITY OF CHICAGO

Annual Report of the Department of Public Welfare, State of Arkansas, for the Fiscal Year Ending June, 30, 1938. Little Rock. Pp. 119.

This well-written report opens with a succinct résumé of public welfare history in the state. As recently as 1932 when R.F.C. funds were first made available there was no state agency to take charge of the federal relief loans, and a lay committee had to be created by executive order to administer the funds. In the fiscal year 1938 a total of \$3,207,584 was spent for public assistance and general relief in Arkansas, and the state provided more than 40 per cent of this sum. Thus, the development within the last six years overshadows the faltering progress of the entire preceding eighty-six years—for it was in April, 1852, that Arkansas first gave official recognition to the problems of the poor by erecting in Washington County an almshouse, consisting of "two pens 18 feet square," built of hewn logs.

Arkansas is one of the states that has recently introduced a statutory merit system. This progressive development received a severe setback when the attorney-general ruled that county welfare workers were not subject to the operations of the state civil service law. A test case brought into the courts was carried to the State Supreme Court and resulted in a decision that county welfare boards and directors are an integral part of the state welfare department, and that county employees must therefore be selected from the civil service lists. Thus the state suffered a delay of more than a year in filling, on a merit basis, the two hundred positions in the counties.

In spite of the great progress in recent years Arkansas is still very far behind, both in standards of relief and in coverage of the need. In all categories eligibility is determined on the basis of 50 per cent of the minimum budgetary requirement. After all resources are deducted from one-half of the minimum monthly budget, the applicant is eligible if the remaining deficit is \$2.50 or more. As a

result, the grants are low, ranging from \$6.06 per month for general relief to \$10.44 per month for aid to dependent children. Aid to the aged, which is highest in a number of states, averages \$9.11 per month in Arkansas.

The statistics relative to pending applications indicate that a large unmet need still exists. In June, 1938, the number of pending applications for all types of assistance was 19,005, of which the largest number, 11,938, was in old age assistance. An estimate prepared by the state department (p. 67) suggests that if the total need were met there would be a case load of 76,855 in the field of general relief and an annual expenditure of \$10,593,589. The largest number actually receiving general relief in any one month of the fiscal year 1938 was 4,181 (p. 53).

The section on child welfare services is especially interesting. In this field Arkansas is starting almost from scratch. Among the problems listed as in need of urgent attention are "the indiscriminate and free lance placing of children, whether for hire, gain or reward, or otherwise" and "complications arising out of the interstate placement of children, into and out of Arkansas" (p. 86).

W. McM.

First Annual Report of the State Welfare Board, for the Period July 1, 1937—June 30, 1938, with Reports of the Twelve Florida Welfare Districts. Tallahassee, 1938. Pp. 87.

The Florida State Welfare Act, which became effective July 1, 1937, abolished the State Board of Social Welfare and all district boards created under the law of 1935. The new statute provides for administration by twelve welfare districts, each of which is organized under a district board. The use of districts as the unit of administration is an interesting feature which has characterized the development in Florida since the era of F.E.R.A.

The State Welfare Board and the district boards are required to report semi-annually to the governor, giving a complete account of funds handled. This is actually the second semiannual financial report but has included an account of all receipts and expenditures for the initial year of the department's operation.

In submitting this report the board has both adhered strictly to the statutory requirements for reporting and has made a strong attempt to justify its existence. The board emphasizes the financial benefits the state has received as a reward for going into a "partnership" with the federal government. The chief concern of the *Report* is apparently to show how many dollars of federal money Florida has received for every cent of state money spent, rather than to develop an understanding and recognition of the services and facilities required to meet individual and community needs.

As to form, the *Report* begins with a general summary of activities and policies, followed by a rather loose stringing-together of uncorrelated reports of the departments and services. The statistical presentations contain some

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interesting data but are inadequate both for comparative and interpretative purposes and as a guide in administrative planning.

The second part contains reports of the twelve districts which are identical in form, merely cataloguing the number of cases and amount of expenditures without explanation or interpretation either of internal organization and administration or of problems, other than financial, and objectives.

It is impossible to obtain from the *Report* a definite conception of the general organization, functions, responsibilities, and powers of the department, or to speculate upon whether the total program is directed toward adequate treatment and constructive development. These uncertainties are further intensified by an absence of recommendations or plans for the following year's program.

Perhaps the most encouraging part of the *Report* relates to the child welfare activities. Child welfare services in co-operation with the social-security program have functioned in four counties since 1936. These centers have rendered services to 1,801 children during the period covered, but there is no indication of the scope of the needs.

The establishment of the State Welfare Department followed a series of attempts to provide an effective system of state services for the people in Florida, so that the responsibilities are not new. But certainly comprehensive reports are essential in bringing together information to appraise the efficiency of an organization and the adequacy of its plans for future developments.

M. B.

Annual Report of the Iowa State Department of Social Welfare for the Year Ended June 30, 1938. Pp. 152.

This report relates only to three classes of public assistance—aid to the blind, child welfare services, and old age assistance. The first seventy-six pages of the text describe and evaluate these services. The remainder of the document is given over to statistical tables, most of which describe the social attributes of the beneficiaries.

Prior to the passage of the Social Security Act Iowa had a blind aid law, which was amended in 1937 in order to bring it into line with the requirements of the federal act. Under the old law some counties paid as little as \$7.00 per month and others as much as \$25—the maximum permitted. State supervision—inserted in the 1937 act in order to qualify for the federal grant—has eliminated these glaring discrepancies. The average grant is now \$23.12 per month, and payments in all the ninety-nine counties cluster closely about this average. Under the new act, however, the number of beneficiaries has declined. Fifty-two of the counties now pay fewer monthly pensions. The decrease is especially striking in the urban counties. In Polk County (Des Moines) the case load fell off by no less than 112 cases in the past year. The reason for this decline is to be found in the new definition of blindness. The standard recommended by the federal Social Security Board has been adopted; Snellen read-

ings are used, and 20/200 is the maximum visual acuity accepted unless the field of vision is restricted to ten degrees or less. Thirty-nine per cent of all rejections last year were owing to this strict standard of eligibility. Everyone knows, of course, that scores of those who cannot qualify on the basis of this rigid test are nevertheless totally unemployable because of their visual handicaps. Rejection is especially difficult in the cases of those persons who have been receiving pensions for a number of years under the old law. Much is to be said in defense of the lobbies that have obstructed acceptance of the federal grant in such a state, for example, as Illinois. No one wants a blind pension paid to a person who has little or no visual handicap. On the other hand, an act or a regulation that excludes those whose indigence is occasioned solely by a visual defect fails to answer the need that the law was supposed to meet.

The section on "Child Welfare Services" illustrates strikingly the inadequacy of the funds allotted to the United States Children's Bureau for this purpose. Iowa's share amounts to only \$37,325 per year—a sum about adequate to do a good job in one demonstration unit. Originally the state proposed to add only \$5,000 per year to this grant, but fortunately the federal authority, by standing firm, was able to get the legislature to double this sum.

With this small budget it was obviously difficult to decide which of numerous alternatives to adopt. Under the plan originally set in motion the state was divided into four districts and one child welfare worker operated in each district as a sort of roving consultant. But in Iowa only an occasional county here and there is equipped to profit by this type of consultation. Later, several counties were selected in which intensive programs were set up. But unless resources can be materially expanded, it seems probable that at the present rate of development at least a couple of decades will elapse before Iowa has anything in the field of child welfare on a state-wide basis that can compare with the program already firmly established in the neighboring state of Minnesota.

The most interesting part of the section on "Old Age Assistance" relates to Iowa's celebrated "Revolving Fund," which was created by the state legislature with an initial appropriation of \$25,000. In three years, the fund had paid out \$55,970 and received in return \$238,884. Thus from a financial standpoint the fund has been a good investment. In general the revolving fund is used to salvage or to rescue assets of aged persons receiving old age assistance. The salvaged asset may be sufficient, at the death of the beneficiary, to reimburse the state not only for the original investment but also for some or all payments made as monthly assistance payments. The following case illustrates the way in which the fund works:

An elderly couple in an eastern Iowa city had resided in their \$2,700 homestead for many years, but when the earnings of the husband ceased, by reason of his age and inability to work in his usual vocation, the taxes on the property began to accumulate and a tax-sale purchaser raised a threat of taking a deed to the property for as small a sum as \$367. The old couple were unable to meet the threat, but shortly before the is-

suance of a tax deed the division intervened with the revolving fund and protected this home which will continue to be theirs as long as they live and the value of which will be used to reimburse the state of Iowa for its advances and to leave a residue, if any, for the legal heirs of this old couple.

The intervention of the state in cases of this kind is undoubtedly very often a real and an important service. The Iowa policy with respect to property liens is severe, nevertheless, and in many cases works a real hardship on the aged. For example, payments are refused to aged applicants who, during the five years immediately preceding date of application, have transferred title to a piece of real property. The following case summary, not taken from the *Report* but from some material from a colleague in Iowa, illustrates the way in which this effort to protect public funds sometimes works out:

Four years ago Mrs. J., now aged seventy-six, faced a severe operation. Thinking she might not survive, she transferred her home to the unmarried son who lived with her and supported her. She recovered from the operation, but the home, at her wish, remained in the name of her son. Two years later the son fell ill. A long hospitalization exhausted his resources. The mother applied for, and was refused, old age assistance because her property had been transferred within the five-year period. The son refused to transfer the home back to the mother, fearing that he might need to mortgage it to obtain ready funds for medical care. Finally, he died, and the home reverted to the mother, but during the long months of his illness when a small regular income was so greatly needed, the aged woman and her bed-ridden son were frequently at the verge of starvation. Old age assistance may now be granted to Mrs. J., not because the need is greater than it was earlier, but because the state can now, through a property lien, be assured of collecting when she dies.

Great difference of opinion prevails with respect to this question of property liens. In Minnesota, where liens have not formerly been taken, the legislature² is now proposing to adopt the system in order to reduce the number of applications for old age assistance. While it appears fair for the state's claim for reimbursement to take precedence over the interest of sons and daughters who did not assist the parents, emotional factors are involved that should not be ignored. Many people, especially in the Middle West, have been trained throughout life never to encumber the homestead. With some people this principle has the force of a religious dogma. Moreover, pride and status in the community operate strongly in such situations. Old age assistance was designed to provide an independent status for aged people. If any requirement prevents the achievement of that objective, it should be subjected to careful scrutiny.

With respect to liens the Social Security Act provides that if there is collected from the estate of any recipient of old age assistance any amount with respect to old age assistance furnished him, one-half of the net amount so collected shall be paid to the United States. It would be possible to insert a provision limiting the degree of stringency the states may impose with respect to liens,

² Since these words were written the Minnesota legislature has definitely adopted the amendment.

just as is now the case, for example, with respect to state residence. Perhaps there is need for research on this problem to ascertain whether some nation-wide standard should be proposed.

W. McM.

Nineteenth Biennial Report of the Board of State Aid and Charities to the Governor of Maryland, October 1, 1936—September 30, 1938. Pp. 118.

The first thirty-five pages of this *Report* are devoted to textual comment. The remainder is given over to an Appendix that contains, in addition to seventy-eight statistical tables, directories of (1) state-aided institutions and agencies, (2) state institutions, and (3) social welfare boards.

The chief recommendation of the board relates to general relief. The funds for this service in Maryland are seriously inadequate. Average grants to individuals under the old age assistance program (\$14.65) were larger in 1938 than the average grants to entire households under the general relief program (\$14.52). Two circumstances are responsible for the critical situation in the field of general relief: (1) distribution of state relief funds on a population basis and (2) failure of the relief taxes to produce the amounts expected.

The distribution of relief funds on a population basis has resulted in the granting of funds to some counties at times when state money was not needed. Moreover, the law provides neither a fixed sum nor a stated time to distribute it. Hence, the distributions occur irregularly whenever surpluses are available. The local relief jurisdictions are thus unable to plan satisfactorily, for they never know when state money will be forthcoming nor in what amounts. The board therefore urgently recommends the enacting of a "law governing general public assistance which will define eligibility and provide for a better sharing of cost between the state and its local units."

The system of public subsidies to private agencies appears to have a strangle hold on the state of Maryland. These subsidies are granted not only to hospitals and educational institutions but also to homes for the aged, institutions and agencies caring for children, day nurseries, and a miscellaneous group of private charities such as the Prisoners' Aid Association, the Tuberculosis Association, and the State Fireman's Association. The total amount granted in subsidies in 1938 was \$1,373,100—a sum more than a million dollars larger than the total amount spent during the year for general relief in the entire state, exclusive of the city of Baltimore.

W. McM.

Nineteenth Biennial Report of the State Board of Control, Seventh Biennial Report, Department of Public Institutions of Minnesota, Period Ended June 30, 1938. Pp. 391.

After the recent extension of the board of control plan of administration in Iowa and Kansas, social workers will be interested in this Minnesota report.

Here the board of control has had its most consistent and thoroughgoing application in the field of public welfare. First organized in 1901 to replace the former state board of corrections and charities, the Minnesota State Board of Control originally was responsible only for the state institutions, but was designated, subsequently, as the public welfare services were expanded, the responsible administrative head of each new welfare service as it was adopted.

Today the board has general control over nineteen state institutions and supervision over fourteen county tuberculosis sanatoriums; it exercises powers of visitation and inspection over jails, lockups, poorhouses, and infirmaries; it inspects, investigates, and licenses maternity hospitals, infants' homes, and agencies for receiving and caring for children or placing them in private homes; it has powers of legal guardianship over all children committed to it by the courts; it is responsible for the promotion of the enforcement of all laws for the protection of defective, illegitimate, dependent, and delinquent children; it investigates all petitions for the adoption of children and supervises adoptive homes until the decrees become final; it administers the soldiers' welfare fund and supervises the state camp for disabled veterans; finally, the board is the state agency for the administration of old age assistance, aid to dependent children, aid to the blind, services for crippled children, and child welfare services. Only local poor relief, of all the public welfare services, remains outside the jurisdiction of this omnibus department presided over by the Minnesota State Board of Control. At the close of the biennium, 104,880 persons were dependent upon the board; its expenditures for the same period amounted to over \$50,000,000.

The board—made up of three full-time, salaried persons—selects the heads of the respective institutions and of the several departments such as public assistance, the children's bureau, the division of soldier welfare, and the division of the insane. With a responsible administrator at the head of each component unit, one wonders what of importance remains to occupy the time of the three full-time board members. A hint of their activities is found in the report where it is recorded that members of the board made a total of 227 different visits to 16 institutions during the biennium.

Like the department, whose work it describes, this *Report* is omnibus; besides the general report of the board itself, there are twenty-nine separate, signed reports by institution heads, plus over one hundred pages of statistics.

Public welfare officials recognize the importance of centralization and integration of the public social services, but they are coming to question the desirability in populous states of lumping them all in one single department. They see little in common, for instance, in the care of the insane, which is a medical problem, custodial care of adult prisoners, and such programs as child welfare services and the care of dependent children. Many social workers seriously question the effectiveness of a paid administrative board, preferring rather a lay, advisory, policy-making board with a single administrator selected by and responsible to the board.

In this connection it is interesting to note that the recently adjourned state legislature drastically reorganized the Minnesota public welfare services, abolished the State Board of Control, and created a Department of Social Security containing three separate and quite independent divisions known as Public Institutions, Social Welfare, and Employment and Security. The new Department of Social Security is to have no single administrative officer, but rather each of the three divisions is to be "under the supervision and control of a director" appointed by the governor, with the advice and consent of the Senate, for a term of four years. While each director, for all practical purposes, is in apparent control of his division, the law contains a curious provision which constitutes the three directors the Social Security Board having the "power and duty to co-ordinate the functions, activities, budgets, and expenditures of the several divisions of the department and to provide for the prompt exchange of information between the divisions so as to avoid duplication and promote efficiency and economy." This appears to be the result of a compromise between the advocates of the board of control plan and those who would have abolished it altogether and divided its responsibilities among three separate departments.

ALTON LINFORD

UNIVERSITY OF CHICAGO

First Biennial Report of the State Social Security Commission of Missouri for Years 1937 and 1938. Jefferson City, Mo., January, 1939. Pp. 44.

The first report of the Missouri Social Security Commission is a "brief summary of activities and procedures . . . to be followed later by a more comprehensive report." This short report, however, shows the present trends of the commission's work. Public assistance has been redefined to include general relief, old age assistance, aid to dependent children, distribution of surplus commodities, enrolment for C.C.C., and certification for W.P.A. and N.Y.A. to August, 1938, when administrative funds ran too low for the commission to continue with this last activity. All these functions are handled by the staff of a single agency so that the shocks of readjustments in any one of the categories must be shared by all of them. Only child welfare services has its own staff of workers and supervisors and its separate offices.

The report includes a series of graphs showing the number of cases carried in the various categories. Child welfare services handled between 457 and 664 cases during the biennium, and aid to dependent children was given to 98 families in January, 1938 (though federal funds had been available since October, 1937), and increased steadily without setbacks to 7,800 families in December, 1938. General relief hovered between 30,000 and 58,000 cases, while old age assistance ranged between 53,000 and 76,000 cases for the biennium. The only curve which contains violent fluctuations is that of general relief, which has two marked peaks and two large dips. Unfortunately, no curves have been plotted for certifications for C.C.C., W.P.A., and N.Y.A., though the

figures given show that the number of C.C.C. certifications ran about 11,000, and W.P.A. certifications varied between 46,000 in November, 1937, and 109,000 in August, 1938. Since the dependent children's cases run under 8,000 and the cases in the other categories in the Public Assistance Division run over 30,000 each, one wonders how adequately the needs of the children can be met when they comprise so small a part of the mixed load. It would have been interesting if these seven curves had been placed on one chart, thus making it easier to see all the jobs that were handled at a given time and the size of the loads under care. This will probably be done in the more complete report that is in preparation. There will also be the opportunity in the later report to present figures and graphs showing the amounts of administrative funds, their sources (whether federal, state, or local), and a case-load division of these funds. The prompt appearance of this and similar reports in other states is a praiseworthy achievement; and, while many social workers would be glad of some discussion of the social philosophy and social planning underlying the whole program—with, perhaps, a little less concern about administrative details which are of more interest to the auditor than to the social worker—these comments are made without losing sight of the fact that Missouri has done extremely well to issue this report so expeditiously.

EDA HOUWINK

UNIVERSITY OF CHICAGO

Biennial Report of the North Carolina State Board of Charities and Public Welfare, July, 1936, to June 30, 1938. Raleigh, 1938. Pp. 220

This excellent report contains valuable information both with reference to the development of new activities and the expansion and improvement of services already established.

The organization chart showing responsibilities and relationships has become a customary feature worthy of note. The Introduction, which sets forth a philosophy that is an outgrowth of twenty years of experience and constructive development, sets the standard for the following parts.

Recognizing that financial assistance to the needy is only one phase of a broad public welfare program, but one likely to be given too much emphasis, the *Report* undertakes an analysis and interpretation of the total program, a general discussion of the changes which new legislation and administrative reorganization have produced, particularly with reference to changing relationships between the three areas of government, and including definite recommendations for improvement of services and more adequate grants. The *Report* reveals throughout a keen sensitivity to the importance of an informed public opinion and one with confidence in the department.

A significant new development in organization is the Field Social Work Service under the administrative direction of the assistant commissioner. A unified field service is provided for all the divisions in the department with ex-

ception of certain specialized services. Field-work representatives are assigned to districts of approximately ten counties and are responsible for supervision of all functions and activities of the county departments. This service is not entirely new but is now provided on a broader basis.

The *Report* indicates the emphasis placed upon professional personnel in North Carolina. The former Division of Field Social Work has been replaced by the Division of Case Work Training and Family Rehabilitation, which stimulates staff training both on the job and by encouraging professional training.

The Public Assistance Division was officially set up July 1, 1937, with responsibility for administering Old Age Assistance and Aid to Dependent Children. During the first year assistance was given to 7,959 families representing 22,196 dependent children—grants to these cases ranging from \$10 to \$16. And 33,060 persons were accepted as eligible for Old Age Assistance and received grants which averaged \$8.97. The *Report* points out not only the inadequacy of these grants but calls attention to thousands of cases for whom no financial assistance is available and urges consideration of a general relief program.

The report of the Division of Institutions and Corrections merits more comment than space allows. It not only calls attention to the intolerable conditions of county jails and the inadequacy of institutions for the care of feeble-minded and insane persons, but also reveals the extent to which children under 16 years of age are illegally confined in county jails. In 1937 "1,070 different children under age sixteen were confined in 72 county jails at some time. . . . Of this number 6 per cent were under ten years of age. A surprising number of children, 126 or 11.8 per cent were repeaters, appearing in jail more than once during the year on different charges." Thirty-seven per cent of the total were reported by seven counties and 61 per cent were Negro children. The average length of time these children remained in jail was seven days, though several stayed more than 100 and one boy was confined for a total of 248 days. The department recommends a constructive plan to relieve this situation through more adequate child welfare services in counties, larger state boarding-home funds, and closer co-operation between law-enforcement officers and county welfare departments. In November, 1936, through an allotment of funds from the U.S. Children's Bureau, a consultant was added to the staff of the division to work in a liaison capacity between the State Welfare Department, the four correctional institutions, and the referral agencies. Later through the same source of funds, a case worker was added to the staff of each of the three correctional schools. This project has stimulated state and county welfare units, juvenile courts, and institutions, to discover and develop ways of meeting the needs of these children.

Significant statistical data are presented throughout the report. A number of these tables and exhibits might be more effectively studied if assembled in an appendix. The *Report* indicates the importance of a more unified system of handling and reporting on the department's finances and suggests that future

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organization plans might include a separate Division of Auditing and Accounting for the department.

As a whole, the *Report* commands respect. It provides an important handbook, not only for the general public but for the use of state and county staffs on the job.

M. B.

Second Biennial Report of the Public Welfare Board of North Dakota for the Biennial Period Ending June 30, 1938. Pp. 152.

The Public Welfare Board of North Dakota, created in 1935, is the state agency in which all the welfare activities, other than institutional, have been centralized. The seven-member Board is charged with the supervision of the county welfare boards in their administration of state and federal funds for relief and other welfare activities and carries out its duties with the assistance of the executive director, who must be a person of professional qualifications and experience.

The organization chart shows that the Board is organized in four divisions: Public Assistance, which supervises the three special assistance programs provided for under the Social Security Act; General Relief, which, as its name implies, supervises general relief and supplementary assistance including medical care, distribution of surplus commodities, certification to W.P.A., N.Y.A., and F.S.A., and selection of C.C.C. applicants; Child Welfare, which administers not only the child welfare and crippled children's services provided for by the Social Security Act but also the functions of the Children's Bureau of the Board of Administration, an agreement having been worked out between the two state agencies whereby the director of the division serves also as head of the Children's Bureau; and, finally, the Division of Accounting, Finance, and Reports. There is also a director of case work, who works with the executive director and the division heads in co-ordinating the administration of the various programs. She is also "responsible for directing and training the field supervisors, and through them interpreting and developing Public Welfare Board Policy" (p. 19).

The Board's *Report* is an admirable one, setting forth in narrative and statistical tables the work of each division, the expenditures for the various programs, and the estimated requirements to finance the programs through June 30, 1941. No specific recommendations are made other than setting forth in the estimated budget for the biennium 1939-41 increased amounts for both general relief and the social-security programs. The Board, however, is cognizant of certain lacks. Medical care, it points out, should be extended. At present it is limited to emergency care owing to lack of funds, but even with this limitation 37.8 per cent of the total state and county expenditures for general relief went for medical care (p. 35).

In looking over the special public assistance grants one finds that the allow-

ances to dependent children are still below the maximum allowed under the Social Security Act. On June 30, 1938, 2,859 children in 909 families were receiving an average of \$10.74 per child per month, although it should be noted that more than a third of the families were receiving public assistance of some other kind. At the same time 7,618 recipients of old age assistance were receiving an average grant of \$17.11, and in commenting on the adequacy of the grants the Board calls attention to the fact that almost half of the recipients had some additional personal income—either from relatives, property, or other source. The *Report*, however, does reflect the earnest endeavors of the Board to carry out the provisions of the state's progressive welfare program.

M. Z.

Annual Report, State Department of Public Welfare, Oklahoma, Fiscal Year Ending June 30, 1938. Pp. 80.

This report gives a concise, well-organized outline of the history and development of the Public Welfare Department which came into existence as a result of state social-security legislation enacted in July, 1936. The department is responsible only for the administration of federal-state programs for Old Age Assistance, Aid to Dependent Children, Aid to Blind, Child Welfare Services, and Services for Crippled Children, in all of which programs the state is participating.

The Introduction is possibly the most significant part of the report. The brief history presented throws light on the tremendous handicaps under which the department has labored and on some of the causes which explain the federal Social Security Board's temporary withdrawal of funds in the spring of 1938.

Prior to the passage of the Oklahoma Social Security Act the State Welfare Board, created in 1935 to make available to the counties state funds for general relief, was approved by the federal Social Security Board to administer federal-state funds for Old Age Assistance and Aid to Dependent Children. Payments were therefore made through the local county welfare boards during a period from April 1, 1936, to July 30, 1936, when the case load of the state board was transferred to the newly created Department of Public Welfare and

the continued payments to these persons were based entirely on the earlier approval of the State Board of Public Welfare. . . . On this basis, a total of 38,404 individuals and families was transferred to the Department of Public Welfare and received Old Age Assistance payments. . . . Similarly, for the Aid to Dependent Children program, 10,248 families including 24,570 children received payment as transferred cases [p. 4].

During its first ten months of administration 122,262 applications were received by the department for the three major forms of public assistance, and by November, 1937, the Old Age Assistance case load alone amounted to 70,000.

Owing to a legislative percentage limitation upon the funds for administration, it was impossible for the department to expand its administration facilities, though the pressure for rapid investigation continued. The staff at this time

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averaged but 210 visitors, though a total of 112,773 application investigations were completed in the ten-month period.

In discussing the problem of administrative costs in relation to initial investigations, the *Report* points out that Oklahoma is faced with a peculiar problem inasmuch as it has been a state only since 1907, and few applicants for Old Age Assistance were born in the state:

An adequate initial investigation is expensive. Establishing proofs of age for persons born at a time when vital statistics were seldom kept, or attempting to verify five years' residence for itinerant workers often requires prolonged investigation [p. 14].

A statement contained in a report of the Florida State Welfare Board, to the effect that the cost of original investigation should be a capital rather than administrative cost which might be distributed over a period of years, is quoted in the Oklahoma report. The *Report* also calls attention to criticism that has been leveled against such states as Texas and Oklahoma, which have extremely high case loads, yet low average grants, and points out that Texas and Oklahoma have the lowest percentage limitations on funds for administration of public assistance in the United States.

The Introduction concludes with a challenge to the state to analyze more carefully its provisions for administrative funds, summing up the problem in an excellent paragraph:

A small staff under the pressure of a large number of applications must make hurried investigations. As in the case of Oklahoma, review of cases was delayed and persons becoming ineligible remained on the rolls. Under these circumstances the number of recipients continues to increase, the average payment is smaller, and a vicious circle is begun. With a smaller average payment less money per case is available for administration. The original intention of the percentage limitation—larger payments for eligible recipients—is not only defeated but serves as a boomerang [p. 15].

The *Report* contains no statement as to standards or methods of personnel appointment. Nor is there any indication given of the effects of the political warfare through which the program has endured. However, the *Report* reflects great progress by the department and marks a real advance in the administration of relief in Oklahoma.

BEN MEEKER

UNIVERSITY OF CHICAGO

Ninth Biennial Report of the Secretary of Welfare, June 1, 1936, to May 31, 1938. (Bulletin No. 79). Harrisburg, Pa., 1938. Pp. 69.

This is the first report since the Pennsylvania department was stripped of all its duties in connection with the administration of so-called categorical relief, a function which was transferred to the new Department of Public Assistance, created in 1937. At the present time the only noninstitutional part of the program is the Rural Extension Unit, which administers the one responsibility given to the Department of Welfare under the Social Security Act, Child Wel-

fare Services (Title V, Part 3), for which \$150,000 of federal funds was received for the biennium.

Pennsylvania has long been known for the subsidies that it grants to private institutions, and there is no sign in the current report of its relinquishing its unenviable title to being first among the states in this matter. Out of a total departmental budget of \$38,415,602 for the biennium, over \$17,000,000 or 46 per cent was spent in this way. More than \$8,000,000 of this went to 165 private hospitals. Presumably the department can, as a condition of these grants, insist upon the maintenance of certain standards. Actually any attempt to withhold them for failure to measure up is likely to involve the secretary in a one-sided battle with the legislature from which the local representative has, in the past, usually emerged victorious.

A remarkable feature of this report is that, while elaborate statistical tables have been included showing the average egg production (carried out to two decimal places) of the hens at all the state institutions and a wealth of similar domestic detail, it is impossible to find out how many persons were under care at any of these institutions. In a public document of this kind, information as to numbers, age and sex distribution, admissions, etc., would seem to be of at least equal importance.

J. B.

First Annual Report of the State Department of Public Welfare of the State of South Carolina Covering the Period from the Department's Organization to June 30, 1938. Columbia, 1938. Pp. 72.

A 1937 amendment to the state constitution made possible the act creating the present Department of Public Welfare. The temporary Department of Public Welfare, set up in 1935 as an outgrowth of F.E.R.A. and financed by the last federal grant of relief funds to the state, was displaced with the establishment of a permanent State Department of Public Welfare, empowered to co-operate with the federal Social Security Board in administering the types of public assistance provided in the Social Security Act of Congress. The state plan, which was the first official step toward co-operation with the Social Security Board, was approved August 3, 1937, and became effective as rapidly as county organization could be completed.

The *First Annual Report*, covering the year 1937-38, is a clear, concise presentation of the department's organization, activities, and expenditures, with important statistical data. A Foreword, summarizing the background of public welfare in South Carolina since 1779, is followed by an account of the organization of the state and county departments, reports of the divisions within the state department, amendments of the public welfare law and suggestions for further changes, and, finally, financial and statistical charts and tables relating to administration of the state and county departments, indicating every phase of activity.

The *Report* indicates that the organization and formulation of policies is based upon sound social thinking and planning. The South Carolina department, like similar departments in other southern states, has been confronted with problems of high percentages of eligibility for various assistance categories and insufficient funds to meet budgetary deficiencies. For instance, the report of the last month in the fiscal year showed that approximately 35.6 per cent of the population over sixty-five years had been found eligible for Old Age Assistance and were receiving average grants of \$10.78. During the same month payments were made to 3,749 Aid to Dependent Children cases, representing a total of 10,893 children and averaging \$20.40 per case or \$7.02 per child.

A better integrated and more comprehensive state-wide child welfare program has been stimulated through child welfare services now being rendered through eleven special children's workers, of whom seven have been placed in five selected counties under a special supervisor, and three consultants give services to the departments in the remaining forty-one counties.

There is every indication that this progressive constructive development in South Carolina will continue.

M. B.

South Dakota Department of Social Security Annual Report for the Period July 1, 1937, to July 1, 1938. Pp. 40.

The State Department of Social Security, which came into being July 1, 1937, succeeded the Department of Public Welfare, which in turn replaced the State Relief Committee. The act creating the department provided for the administration of old age assistance by this state agency, and companion acts gave the department power to administer programs of aid to needy blind and to dependent children and to establish within the department a Division of Child Welfare. The Aid to Dependent Children Act has never become operative, however, owing to the fact that the state had anticipated amendment of the Social Security Act making possible federal grants of one-half instead of one-third the allowance; and, since such an amendment has not yet been passed, South Dakota is one of the eight states without an approved plan. Other functions of the department include the certification of workers to N.Y.A. and W.P.A., selection of C.C.C. enrollees, and distribution of surplus commodities.

The *Report*, which covers the department's first year of operation, presents a brief but clear discussion of its organization, its activities, and its expenditures. Statistics are limited to three tables relating to payments for old age and blind assistance to the various counties, the number of recipients of old age assistance, and the quantity of surplus commodities and clothing distributed to relief clients. One of the most important parts of the *Report* is that dealing with the department's recommendations for additional services and needed administrative changes. The department urges that provision be made for supplying medical care to the aged, that the aid to dependent children's law be

amended to enable the state to qualify for federal grants, that a merit system making mandatory the appointment of qualified personnel be adopted, and that adequate funds for administrative purposes be appropriated.

M. Z.

Report of the West Virginia Department of Public Assistance, July 1, 1936, to June 30, 1938. By A. W. GARNETT, director. Charleston, W.Va. Pp. 99.

The first report of the West Virginia Department of Public Assistance covers the purpose, organization, and functioning of that department since it was created by the Public Welfare Law of 1936.

West Virginia stands out as a state that has, almost overnight, developed a comprehensive, integrated system of public welfare, embracing nearly all types of public relief and services, where practically none existed before. Merely to enumerate the various specific forms of relief and services now available is to indicate the magnitude and scope of the present program, which includes the administration of old age assistance; aid to dependent children; aid to the blind; general relief, including medical, dental, and hospital care; the distribution of federal surplus commodities; certification to W.P.A., N.Y.A., and C.C.C.; child welfare services; supervision of probation and parole for juveniles; crippled children's services; and veterans' services.

This diversified program operates through the fifty-five county departments of public assistance. Judging from the report, there appears to be a nice balance between decentralization in operation, on the one hand, and centralization of certain administrative controls and supervision within the state department, on the other hand. This is exemplified in the "remote control" which the state department exerts in the selection of county directors. For example, the State Advisory Board, members of which are appointed by the governor, have the responsibility for certifying the names of suitable local county residents to the governor, from which lists he then appoints county council members. These county councils, in turn, are the administrative and appointing authorities for county personnel. However, they only appoint as county directors individuals chosen from a list of certified persons who are deemed to be qualified by the State Advisory Board.

Certain features of the West Virginia Department of Public Assistance are worth commenting about because they represent newer trends in public welfare administration. One is the fact that county residence has given way to state residence as a condition of eligibility. Another interesting feature is the fact that "classified relief," that is, aid to the aged, blind, and dependent children, is financed entirely from state and federal funds and with no local financial participation, whereas general relief is financed by local county funds which may be supplemented by a state equalization fund. Inasmuch as the *Report*

indicates that about 70 per cent of general relief comes from this state equalization fund, this would seem to do much toward preserving uniformity and equity in the administration of general relief.

The medical, dental, and hospital program, whereby clients suffering from acute or emergency disabilities select the physician or dentist of their choice, is of interest. The Department of Public Assistance then authorizes payment on a fee schedule which has been approved by the State Medical Association. An even more distinctive feature of the medical program is that which comes under "adult physical rehabilitation." This provides for "the fitting by surgical or medical treatment and hospitalization of physically handicapped adult persons for remunerative occupations." Obviously, the economic and social aspects of such a plan are far-reaching and may do much to carry out the preventive and remedial phases of the entire program.

The *Report* fails to point out specific problems or to make recommendations for changes and improvements, but some questions arise. One is whether or not the high degree of administrative authority given to the county councils might be, at times, in conflict with a plan that provides for state administration. Might not occasions arise where it would be difficult to place authority for certain activities, as between the county departments and the state department? Furthermore, one wonders about the proportion of money now being spent for food, shelter, clothing, and so forth, and that which is to be spent on an extensive medical program. Obviously, the monthly standard budget now in effect would hardly preclude the perpetuation of substandard physical conditions of the recipients. Throughout the report there are many indications that the high incidence of trachoma, tuberculosis, and other physical disabilities are really the result of a long-time low standard of living peculiar to the economy of West Virginia. It would seem that the end result of this problem might better be met by the adoption of a more adequate "yardstick" budget for the determination of the needs of the state's citizens so that the subsequent need for medical care will be lessened.

KATHLEEN MILLIKIN

UNIVERSITY OF CHICAGO

State of Wyoming Biennial Report of the State Department of Public Welfare.
Cheyenne, Wyo., December, 1938. Pp. 39.

In spite of the statutory requirement that the state director "prepare an annual report," this is the first formal report published by the Wyoming State Department of Public Welfare, and it is not an annual report but rather covers the biennium from October 1, 1936, to September 30, 1938. First organized in 1935, and reorganized in 1937 in response to the stimulation of the Social Security Act, the State Department of Public Welfare has since provided, for the first time, a state-wide supervisory and statistics-gathering service in Wyoming.

Similarly, state financial participation in public assistance, in any substantial measure, dates from the inception of this department in 1935. Theretofore the boards of county commissioners of each county exercised "entire and exclusive superintendence of the poor in their respective counties," spent only county funds for this purpose, and were required to report to no higher or centralized body on their administration of poor relief.

Actual administration of public assistance in Wyoming is in the hands of county departments of public welfare, which exercise considerable power of local discretion, but supervision and authority to fix and maintain standards of relief and personnel are reserved to the state department. Counties are required to levy a one-mill property tax, the collections from which make up the local contribution to old age assistance, aid to dependent children, aid to the blind, and general relief; in addition, counties are required to finance all medical relief services including physician's and dentist's services, hospitalization, nursing, drugs, and burial costs. State funds are derived from liquor and sales taxes and may be distributed among the counties on a grant-in-aid basis for all categorical and general relief programs. Case workers carry undifferentiated case loads made up of persons from all categories. In this rural state with its scattered population, division of case load by geographic area is believed to be the most practical method. The results have been, however, that aid to dependent children, old age assistance, and aid to the blind have been administered on as strict a needs basis as has general relief.

Although unmentioned in this report, the chief defect of the Wyoming Department of Public Welfare is in the composition of its board, whose membership is made up of the five state elective officers: governor, secretary of state, treasurer, auditor, and superintendent of public instruction. The nonpolitical nature of the state board, as claimed in the *Report*, is belied by the manner in which the key officials of the department were replaced by the administration which took office on January 1, 1939. A strong department, with security of tenure for its personnel, cannot be expected until the state legislature is willing to provide for the appointment of a lay state advisory board with overlapping terms.

Essentially a public assistance document—since the state institutions are under the supervision of the State Board of Charities and Reform—the *Report* is composed of seventeen pages of narrative description of the organization and operation of the public assistance programs and twenty-two pages of rather general statistical tables. While we could wish for more detailed statistical data—medical care, the duration of relief, and the probable permanence of the relief load, for example, are completely ignored in the statistical tables—the *Report* contains valuable information about the numbers of beneficiaries and the amounts spent for each of the categories. It is interesting to note that numbers of beneficiaries for the categorical programs leveled off during 1937

and 1938 and, in the cases of aid to dependent children and aid to the blind, showed even a slight downward trend.

Among the public welfare gains of the last three years, Wyoming may count the following: repeal of the old poor law with its independent local administration and the substitution therefor of modern public welfare departments with state financial participation, reasonably close state supervision and control, and relatively adequate standards of relief with a complete absence of financial crises and budget-cutting, such as have been all too common in many states. Wyoming is one of the few states whose poor law and welfare legislation has never contained a provision requiring relatives to support their needy kin.

A. L.

Earnings of Women Workers in Pennsylvania Manufacturing with Special Reference to the Clothing Industry. (Pennsylvania Department of Labor and Industry Bull. No. 45.) December, 1938. Pp. 23.

This summary report, made by the Bureau of Women and Children, is divided into two parts: the first is a statistical analysis of the 1935 and 1936 earnings of women wage-earners submitted to the Department of Internal Affairs by some 20,000 industries, representing the ten major manufacturing industries in the state and covering 256,202 women in 1936; the second part, and by far the most illuminating, gives the results of a survey of 174 selected firms of all sizes manufacturing men's, women's, and children's clothing and employing 28,742 workers. Earnings and hours worked during a typical week in 1937 as well as occupational classification were recorded for all workers in the selected plants, and it is the analysis of these findings that is particularly revealing. The statistical data show not only the great variation in pay between men and women for equal work but the marked underpayment of women workers, the great majority of whom "are receiving wages substantially below a minimum standard found to be acceptable on the basis of an official inquiry of the Department of Labor and Industry into the cost of living of employed women in the State." For instance, 88 per cent of the women wage-earners in the men's clothing industry, 86 per cent of those manufacturing women's and children's garments, and 95 per cent of those engaged in the manufacture of underwear were receiving less than \$20 a week compared with 32 per cent, 38 per cent, and 62 per cent of the men in the same industries. The Bureau did not attempt to determine the reasons for this disparity but notes that "this constitutes a problem for further study" and that "further study on the economic status of the garment worker is contemplated by the Bureau."

MARY ZAHROBSKY

Report of the Central Statistical Board on the Returns Made by the Public to the Federal Government. (House Doc. 27, 76th Cong., 1st sess.) Washington, D.C., 1939. Pp. x+37.

On May 6, 1938, the President requested the Central Statistical Board to ascertain "the approximate number of financial and other statistical reports and returns regularly required from business and industry and from private individuals by agencies of the Federal Government." The present *Report* embodies the findings in response to that request.

The Board found that a majority of the returns made to the federal government are "by-products"—that is, incidental to governmental administrative functions. The numbers of these returns reached the astonishing total of 97,500,000 in 1938. Applications of various types account for about a third of this total. The post-card request of a worker for a social-security account number is an illustration of this class of return.

Nonadministrative returns—not related to an administrative function but solely for the purpose of obtaining facts needed in shaping policies—in 1938 reached a total of approximately thirty-eight million. Familiar examples of nonadministrative returns are the birth and death certificates collected by the Bureau of the Census. One surprising revelation of the investigation was that the returns made to state and local governments and to private agencies (most of which are nonadministrative in character) are at least as numerous as the total number filed with the federal government.

The greater number of the federal reports "are necessary to the Government, either for purposes of administration or regulation," but considerable duplication was found. Some of the more conspicuous duplications arise out of the fact that both the federal government and the state governments are concerned with the same functions. Both are involved, for example, in the administration of social security and both must be in possession of substantially the same facts with respect to the pay rolls of covered industries. Although the *Report* recommends several definite changes that will reduce duplications among federal agencies, it goes no farther, with respect to federal-state duplications, than to urge further consideration of the problem.

The basic recommendation will be upsetting to those who have urged one gargantuan bureau to collect statistics for all departments of government. For the *Report* declares it is "sound in principle and necessary in practice" that the statistical services be attached to the agencies having responsibilities relating to the subject of the reports. This point of view is unquestionably sound. Data collected by persons who know nothing about the function concerned are invariably mechanical and often completely ignore the really relevant aspects of the problem.

Decentralization of the statistical work implies, of course, considerable risk of duplication and diffusion of effort. To counteract this tendency the Board

recommends a statistical co-ordinating agency with augmented powers. Among other things it suggests that agencies collecting information on a confidential basis be encouraged to place this material at the disposal of other federal agencies under regulations that will adequately protect the interests of the respondents. It also proposes that the co-ordinating agency hold hearings with respect to duplications and that the President be empowered to eliminate such duplications on the basis of the evidence brought forth at the hearing. At present, equal statutory powers are often held by two or more federal agencies to collect the same data from a given class of persons. Hence a legal mandate is required if the co-ordinating agency is to have sufficient power to resolve these conflicts.

W. McM.

Annual Report of the U.S. Bureau of the Census, 1938. Reprinted from the *Annual Report of the Secretary of Commerce, 1938.* Washington, D.C.: Government Printing Office. Pp. 19.

This *Report* is of special interest because a considerable portion of it is devoted to a discussion of plans for the decennial enumeration of the population in 1940. The forthcoming census, according to the *Report*, will be "the most complete and most important statistical inventory of the human and economic resources of the Nation ever taken." Demands for more detailed information are more insistent today than in any previous period of the history of the country. In an effort to meet these demands the Bureau will "appreciably increase the social and economic inquiries on the schedules . . . in the next decennial census." The exact nature of these expansions is not disclosed. Since there is a direct relationship between the number of queries the enumerator must understand and the degree of accuracy he attains, it is to be hoped that the added questions will not augment the already sizable volume of errors and omissions that have characterized previous enumerations. According to present plans a staff of 150,000 persons will be required to take the sixteenth census—140,000 enumerators and 8,000 persons in the Washington office.

Further extensions of the Bureau's service will require a revision of the census law. The *Report* suggests five specific directions in which Congress might appropriately extend the Bureau's activities: (1) collection of housing data to serve federal, state, and local housing authorities; (2) procuring of employment data as well as unemployment and occupations in connection with the enumeration of the population; (3) obtaining of basic farm data more frequently than once every five years; (4) collection of population details by small areas at five-year rather than at ten-year intervals; and (5) compilation of fundamental data on the activities of business and industry on an annual basis, leaving the more complete picture to be obtained quinquennially, as at present.

The two familiar volumes entitled *Mortality Statistics* and *Birth, Stillbirth, and Infant Mortality Statistics* are to be discontinued. In their place two new

annual publications will be issued under the title *Vital Statistics of the United States*. Part I will consist of revised tabulations based on place of birth or death. The second volume (Part II) will consist of new tabulations based on place of residence. The first data published in this form will relate to the year 1937.

Several years ago the Bureau discontinued the practice of making estimates of the populations of states and their political subdivisions for intercensal years owing to the hazards occasioned by recent changes in the pattern of internal migration. The *Report* announces that no estimates of this type will be attempted until after the enumeration of 1940. Estimates of the population of the entire continental United States and of the outlying territories and possessions were made, however, as of January 1, 1937, and July 1, 1937.

The Bureau has utilized W.P.A. labor effectively to consummate several large-scale statistical and clerical tasks. One of these projects was the preparation of an alphabetical index of the entire population enumerated in 1900. By means of this index the Bureau can locate promptly the name of any person enumerated in that year and can supply him with the evidence of age needed to support his application for old age assistance. It is interesting to learn that no fewer than 104,564 requests for proof of age were received by the Bureau last year.

W. McM.

Survey of National Nutrition Policies, 1937-38. League of Nations, 1938.

Distributed in the United States by the Columbia University Press, New York, N.Y. Pp. 120. \$0.60.

This first annual report of nutrition work sponsored or encouraged by the Assembly of the League of Nations summarizes the proceedings of meetings of committees concerned with nutrition and also the statements furnished by governments direct to the League office. The work of the League on nutrition problems is being carried on through two main channels: the Technical Commission on Nutrition, which met twice during the period covered, and the national nutrition committees, representatives of which held their second annual meeting in October, 1938.

National nutrition committees have been organized in twenty-one countries to carry out a twofold function: (1) to determine the limitations of existing information on national nutrition problems and to promote further investigations, and (2) to apply the findings of nutrition research to the practical problems of feeding a nation. At their second meeting representatives of the national nutrition committees reviewed the techniques for making nutrition surveys formulated by the Belgian representative and then listened to findings from surveys that had been conducted in various countries. The surveys include attempts to assess the nutritional status and the adequacy of the diets of certain groups; they deal also with special problems such as the effect on the nutritional

condition of Orthodox Christians in Yugoslavia of the observance of two hundred and six fast days in a year.

An important part of the work of some national nutrition committees is to give advice to public authorities on broad questions of policy, notably on measures for improving the dietary of the lower-income groups. Practically all countries reporting have put into effect schemes for providing food either free or at low prices to special groups of consumers. Many countries recognize that "measures of public assistance only touch the fringe of the problem," which involves far more than the relationship between income and nutritional standards in individual families. During the year at least two governments reduced the duties on certain protective foods in order to improve the national dietary. Knowledge of the extent of malnutrition has indicated to some governments the disadvantages involved in exporting surplus farm produce at uneconomic prices and has led to advocacy of "internal dumping," that is, the sale at reduced prices or the free distribution of surplus farm products to the poor.

Education in food values, food economy, and food preparation is discussed as an essential part of a comprehensive program to improve national nutritional status, especially among relatively well-to-do families, many of whom are living on poor diets although they are spending enough to be well fed.

To appreciate fully what the Assembly of the League has accomplished through the sponsorship of national nutrition committees the reader should compare this progress report with the volume *Nutrition in Various Countries*¹ published by the League in 1936. The countries contributing to the 1937-38 report no longer view nutrition programs primarily as a means of maintaining the physical fitness of their fighting forces or of improving their agricultural economy. Rather, they tend to consider as their objective the well-being of the people as a whole and to work toward that goal with greater effectiveness because of the opportunity they have had to discuss their nutrition problems with other nations.

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Public Social Services (Total Expenditure under Certain Acts of Parliament). (Cmd. 5906.) London: H.M. Majesty's Stationery Office, 1938. Pp. 21. 4d.

This document contains three statistical tables (pp. 6-10). The remainder of the text is devoted to explanatory notes that define the items in the tables and describe limitations or duplications in the data.

The stub of Table I contains a list of thirteen categories of social service provided by Acts of Parliament (Old Age Pensions Acts, Housing Acts, etc.). The first five columns give the expenditures under these acts in England and Wales

¹[See this *Review*, XI (1937), 331.]

for the years 1900, 1910, 1920, 1930, 1936 (or latest available year), and 1937 (estimated). The next five columns provide corresponding facts with respect to Scotland. The last two columns show (a) total expenditure in Great Britain in 1936 and (b) number of persons benefiting from the 1936 disbursements.

The total expenditure for these social services in Great Britain in 1936 was £494,145,000. The largest single item in this list was £115,257,000—the outlay under the Education Acts. Next in size was the cost of unemployment insurance and unemployment assistance, which totaled £86,288,000. All other items fell below £50,000,000 except poor relief, which cost £51,470,000.

The figures showing number of beneficiaries are not free from duplications. As is explained in an accompanying note (par. 6, p. 5), "many persons receive benefit under two or more of the Acts mentioned . . . and so may be accounted for more than once; for example, children receiving education under the Education Acts may also be receiving medical or other care under the Poor Law Acts." Undoubtedly this explains why totals are given only for individual services and not for the entire group of services. The National Health Insurance Acts lead in number of beneficiaries—17,900,000 in England and Wales and 2,052,000 in Scotland. Unemployment insurance and unemployment assistance are second, with 12,005,000 persons benefited in England and Wales and 1,460,000 in Scotland. With respect to all other services the number aided is less than 2,000,000—except, of course, in the case of the Education Acts, which provided services for 6,972,537 in England and Wales and 980,759 in Scotland.

Table II contains a detailed analysis of receipts and expenditures in each classification of the social services. Separate figures are not shown for local rates and for "block grants" given under the Local Government Act of 1929. "These grants," it is explained in a note (par. 5, p. 4), "cannot be apportioned to particular services, but, together with the rates, formed nearly the whole of the general income of local authorities out of which the net cost of the services in 1936 . . . was defrayed." In both jurisdictions parliamentary votes accounted for roughly twice as much as the local rates and block grants combined. In England and Wales the figures were £201,574,000 and £107,230,000, respectively, and in Scotland, £30,383,000 and £15,458,000.

Table III sets forth capital expenditures and receipts from loans in each category of social services in which such transactions occur. As might be expected, both capital expenditures and receipts from loans were largest under the Housing Acts. In fact, this one activity absorbed 70.6 per cent of a total capital investment that amounted in 1936 to £45,532,000. Housing also contributed 68.6 per cent of the total receipts from loans. The bulk of the remainder, both in capital expenditures and in receipts from loans, resulted from activities under the Education Acts.

A comparison of the volume and cost of social services among the industrialized nations of the world has long been a matter of great interest. Such comparisons, however, are subject to very important qualifications. At present the

Social Security Board publishes tables that combine both cases and costs for a number of important services (special types of public assistance, general relief, W.P.A., N.Y.A., C.C.C., and emergency subsistence grants to farmers).¹ These six classes of service cost \$2,334,739,000 in 1937 and \$2,728,375,000 in the first eleven months of 1938. It should be noted, however, that the general relief figures are partially estimated and that unemployment compensation benefits and expenditures for housing are not included at all. It is nevertheless true that developments of the past few years have brought about great improvements and extensions in the statistical services of this country. It may be that a time will arrive when figures can be combined in such a way as to provide a reasonably satisfactory basis for comparing our experience with that of Great Britain—especially with respect to trend in case load and in costs.

W. McM.

A Study of the Trend of Mortality Rates in Urban Communities of England and Wales, with Special Reference to "Depressed Areas." By E. LEWIS-FANING. (No. 86.) London: H.M. Stationery Office, 1938. Pp. ii+66. 1s.

This is one of the Ministry of Health "Reports on Public Health and Medical Subjects." It is of interest to social workers as an attempt to learn to what extent the depression period has had an unfavorable effect on national health and particularly on the people of the so-called "depressed areas"—that is, to determine whether in areas known to have been especially affected by the depression, 1929-33, there had been an unfavorable change in the mortality rate.

There has long been an excessive relative mortality in the poor areas now called "depressed," and the report finds no evidence that this "excess mortality" is to be attributed to the depression of recent years. "Such excess as appears in the results has been in existence for at least the last twenty years and has been nearly constant."

The author of the report suggests that, although at first one might be inclined to regard this as a matter for congratulation, on the other hand, surveying the history of mortality in these areas through the years, "one is almost inclined to wish that the excessive mortality depicted *could* be shown to be related to the events of 1929-33 as effect to cause. For, were that really the case, the lifting of the depression might be expected to cure the evil."

In the field of vital statistics in England, official statisticians, beginning with Farr, have made "the general question of contrasting mortality experience in districts of different economic and social type" a leading subject of study.

It was Farr who pilloried the excessive rates of mortality of large urban areas and using what he called "healthy" districts as a basis of comparison, gave arithmetical precision to the contrasts. His successors, notably perhaps the late Dr. T. H. C. Steven-

¹ *Social Security Bulletin*, II (January, 1939), 37-38.

son, have extended the scope of these investigations and there has not been for many years a single issue of an Annual Report from the General Register Office in which these ugly contrasts of mortality have not been the subject of comment [pp. 65-66].

E. A.

Report of the Commissioner for the Special Areas in England and Wales, 1938. (Cmd. 5896.) London: H.M. Stationery Office, 1938. Pp. vii+120. 2s.

The effort of the Commissioner for Special Areas is to stimulate and co-ordinate a program of industrial development and of social services in those localities in which a stubborn core of unemployment has been identified. Grants voted for this work now total £16,000,000, and treasury funds are supplemented by the resources of two private undertakings—the Nuffield Trust and the Special Areas Reconstruction Association. The general policy in the use of these moneys is “to lay themselves out to take bigger risks than those run by the ordinary finance house or investor” (p. 2).

The industrial program in the special areas appears to have received more attention than the program of social services. Great emphasis has been laid upon offering inducements to new industries. The commissioner's convictions on this point are clear: “Industry must be induced to go to these places or the people must be removed; the first is obviously the better solution” (p. 3). The commissioner has power to assist new industries in the areas by making contributions toward payment of rent, income tax, and local rates for a period not exceeding five years. His help has been accepted with respect to sixty concerns. Twenty of these were actually in operation as of September 30, 1938. It is worth noting that twenty-three of the sixty schemes are being established by aliens. Capital funds are available to new industries both from the two private agencies and from the treasury, but treasury funds and the funds of the Special Areas Reconstruction Association are used exclusively for loans, the latter limited normally to sums up to £10,000. The amount of employment thus far provided by the assisted industries is not impressive. The total number of employees of these firms is 3,647; of this number 1,590 are women.

The economic program of the commissioner has not been restricted to the establishment of new industries. He has had other irons in the fire as well, some of which appear to bear certain resemblances to our subsistence homesteads.

“Group holdings,” so called, consist of small plots of ground, ranging from one-quarter to one-half an acre in size, for cultivation and for the raising of poultry or pigs. In 1938, 203 groups were reported in the special areas, with a total of 3,311 holdings, a very small expansion over the 1937 figure, owing perhaps to the difficulty of obtaining suitable land within reasonable distance of the homes of the groupholders.

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The Cottage Homesteads Scheme has provided 201 homesteads in the areas, each consisting of a house and about half an acre of land, at an average cost of £460 to £521, with an advance up to £20 for purchasing livestock and tools. With this amount repayable over a period of five years, the success of the scheme obviously depends upon securing some employment in the vicinity.

The major effort in the social service program has been in the provision of group-work services, with a current subsidy of £200,000 to a private agency—the National Council of Social Service. The largest single expenditure (£85,000) was for school camps for boys and girls. A grant of £15,000 was also made to improve the district nursing services.

The report as a whole leaves the reader with the impressions that (1) the entire undertaking is characterized by a high degree of sincere effort; (2) the attack on unemployment in the special areas has been carried out along a number of fronts simultaneously; (3) the accomplishments to date in terms of an effective reduction of unemployment are not impressive.

W. McM.

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